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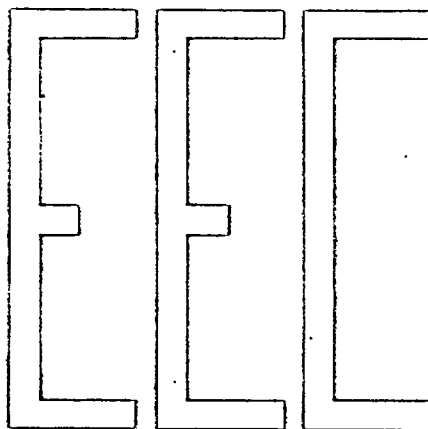
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Supplement to Bulletin 11-1962

Draft Council regulation ⁽¹⁾ suspending the application of Articles 85 to 94 of the Treaty establishing the European Economic Community to sea and air transport

Draft Council directive on authorized weights and dimensions of commercial road vehicles operating between Member States

Draft Council resolution on additional technical requirements applicable to commercial road vehicles operating between Member States

Draft Council regulation suspending the application of Article 85 of the EEC Treaty, and of any provisions made or to be made thereunder, to road, rail and inland-waterway transport

⁽¹⁾ Submitted by the Commission as an opinion under the terms of Article 155.

Constitutional problems before the European Economic Community

by Walter HALLSTEIN,

President of the Commission of the European Economic Community

Introducing the debate on the Fifth General Report on the Activities of the European Economic Community, which took place in the European Parliament on 17 October 1962, Professor Hallstein, President of the EEC Commission, made an important statement concerning the Community's structural problems. "Constitutional problems" was the phrase deliberately chosen by M. Hallstein to cover this ground.

Because of its special interest, the statement is given below almost in toto. M. Hallstein's introduction, not included here, contained a short reply to the comments made in a Parliamentary Report ⁽¹⁾ on the presentation of the Commission's General Report.

" ... More important than the Report itself is what it reports. The facts are more important than their presentation.

Each year I find it difficult to decide which aspect should be taken for my introduction to the oral discussion; obviously it is not my purpose to repeat in concise form what is already to be found in our Report. As in earlier years, I have been looking for a theme common to all the activities and events that are touched upon; it must show at the same time how what has occurred fits into the progress made by our Community along the road from its starting-point to its goal. Two subjects come to mind. One is the clear transition made during the period under review from the mere establishment of the customs union to the adoption of common policies. The other is dealt with in the Parliamentary Report under the heading "Internal growth of the Community".

The first of these points is the central economic and social theme of the immediate present. If none the less I do not choose this theme, it is because I wish to make rational use of our time. It seems that the whole complex of the economic and political activities of our Community will be the subject of this year's joint meeting between Parliament and Council of Ministers, in preparation for which Parliament has asked us to submit a memorandum. May I say at this point that the required memorandum will be submitted in the near future; we hope it will provide a useful basis for discussion.

Today then I would prefer to deal more fully with the second subject. The comments on this theme contained in the Parliamentary Report provide a fascinating outline of the constitutional problems facing our Community. It is

(1) Report issued in the name of the Committee of Presidents on the Fifth General Report on the Activities of the EEC — *Rapporteur général*: Arved Deringer (Doc. 74 — PE 8350 déf; in the Community languages only).

written with a severe realism through which one can at times detect an undertone of scepticism. It endeavours to project the constitutional realities of our Community against the background of fundamental constitutional principles, and it concludes with trenchant observations in the form of suggestions on the way we should all act in the future.

I have intentionally chosen the phrase "constitutional problems", for no one who reads the Parliamentary Report can escape feeling that that is its real subject. In fact I should like to make the terminological proposal that whenever we discuss this subject we should in future speak not of "institutional" but of "constitutional" problems. The word institution suggests the machinery by which action is taken; it does not bring out the fact — obvious today to everyone who studies our Community from within or from outside — that a political entity with its own personality has been developing at a mighty pace. This entity needs constitutional rules — rules which in this new creation lay down the division of political power between the whole and the parts, the members, and state what institutions it, like any other body, needs if it is to react to events and to shape and express its own will, in short for any action of its own.

In its substance this constitutional problem has two roots and consequently two sides. First, as we are a community of states, we have to decide how much authority will be given to the Community and how much to the members. At the same time the Community itself, being a community of states which accept the rule of law and therefore a community based on the rule of law, must solve the problem of dividing and properly apportioning its powers. In practice these problems are complicated by the fact that the two sets of questions — the relationship between Community and members and the organization of the Community itself — intersect. Fortunately we have an example that can help our minds to master these problems; I refer to what we know as a federation. Though our Community is still far from being a federation in the full sense of the word, it is none the less true that the experience gained by other federations and the various solutions they have produced provide us with material for study and the necessary tips on finding correct solutions.

The Parliamentary Report is based on the finding that the Community is growing steadily stronger as responsibility shifts more and more from the Member States to the Community's institutions; at the same time it finds that little by little the methods used by the Community are attaining concrete or, in the words of the Report, governmental forms. The new line now adopted in presenting the Commission's Report is itself a confirmation of this view; equally it is no accident that the constitutional problems of the Community have come to the fore to such an extent at this moment when the Community is so obviously drawing closer together. The statement that the Community has grown stronger merely repeats something which is the aim and purpose of the transition period. It is in this transition period, as we know, that a crystallization, an improvement and reinforcement of our cohesion is occurring and is intended to occur.

The Report makes a legitimate complaint that certain decisions taken by the Council are not in accordance with the proposals for Community solutions that had been put forward by the Parliament, as for instance in agricultural policy

and in cartel policy; instead, responsibility has been left at least in part with national authorities. The Report is right when it demands that the Commission should be entitled and in a position to act as authorized representative of the Community in dealings with the outside world; it is right when in particular it claims, on the basis of Article 238 of our Treaty, that the Commission should carry on any negotiations for association. It is right when it criticizes the failure to provide the Community with its own diplomatic representatives. Accurate, too, is the observation that not only the policies but the legal systems of the Member States cannot escape the inherent urge to integration which exists in the Community. It is also brought out clearly that the inner logic of our development will not come to a halt at the narrowly interpreted boundaries of the Treaty, and that in the long run budget and fiscal policy will be drawn into its wake, and that even in the field of cultural policy a similar development is inevitable.

The question of where the confines of the Community and where those of the Member States lie is not however to be confused with the question of what responsibilities rest upon the institutions of the Community and what on the institutions of the Member States. For the application of our Community law, that is to say the Treaty and all the rules which have been established to implement it in practice, is as we know not a matter for the Community's institutions only, it calls for action by the Member States too. It was with this in mind that on a previous occasion in this House I used the somewhat bold expression that even the Member States and their institutions are themselves institutions of the Community. What I meant to convey was that it depends in part on them whether our Community comes to life — which means that any analysis of constitutional realities in our Community will begin by examining how far the Member States are ready to apply the Treaty. This holds good of the Parliamentary Report. The question is all the more important since the Community is of course far from having at its disposal the organs which would be necessary if it were itself to apply these legal provisions down to the last detail. There are, it is true, cases in which Community laws are applied by Community institutions, but there are also others in which Community laws are applied by the Member States. In principle, both possibilities exist. Which solution is chosen in a particular instance is a matter of administrative convenience. It is not only the authors of the Treaty who were faced with this question, it still has to be answered by the Community institutions which have to issue statutory regulations now that the Treaty has come into force.

Wherever, however, the execution of the Treaty is in the hands of the States it is supervised by Community institutions. Here the Commission, as guardian of the Treaty, has a special role to play; there are innumerable provisions in the Treaty or in Community legislation which give it the requisite authority to check and investigate. I need hardly say that this task is taken very seriously by the Commission. The Commission acts not only when a complaint is brought before it, but also on its own initiative. It has established a procedure which ensures that no infringement is overlooked; our Report testifies to the fact that we do not hesitate to take action when one is observed.

1. More important, however, than the role of the Member States in the implementation of our Community legislation is the part they play in bringing

it into existence. This they do through the Council of Ministers, the main purpose of which is to serve as the legislative organ of the Community.

a) The Parliamentary Report brings out once again a point that we have all known a long while, namely, that in its internal working the Council of Ministers is overloaded and that its work is suffering in consequence. Speaking from experience in the Commission, I would like to say in this connection that probably everything has been done to improve the situation which can be done by organizational or procedural measures. Unfortunately we are still far from having solved the problem. The most effective remedy, which consists of delegating work to subsidiary organs answerable to the Council, has already been used to such an extent that the Parliamentary Report betrays signs of justifiable anxiety on this point. I agree with the view that nothing more can be done along these lines; my own belief is rather that the correct solution is to be found in the form of an improved distribution of work within the Member Governments themselves. But this is a delicate question, and it must be treated with caution in any discussion within our Community if one is not to risk the reproach of meddling unduly in the internal affairs of our Member States. I will therefore be reticent in expressing my views on the subject. A second and complementary line of action exists of course in the possibility (mentioned in the Parliamentary Report) of leaving decisions to the Commission. Incidentally, we must not forget that in the period under review the larger part of the Council's working time was devoted to the external relations of the Community.

b) A fundamental question which arises from the existence of and the responsibilities allocated to the Council of Ministers is what role the national and individual interests of Member States do and should play in this Council. It would not be just an illusion, it would be a misunderstanding if anyone were to define the purpose of this whole institution in a way which entirely ignored the individual interests of the Member States. The Council of Ministers is an institution of federal character, which means that it is here that individual interests and the Community interest are brought into balance and harmony. This means that there are limits on its freedom of choice: where it is so laid down in the Treaty, it must come to a decision, and its decision must be consonant with the objectives of the Treaty. The Council of Ministers is not therefore faced with a simple "yes or no", it is given the direction to be followed. In other words, the Council is a Community institution and not a diplomatic conference; in taking their decisions the members of the Council must watch the needs of the Community even if they do so through their own spectacles.

In practice this produces three results:

First, no compromise is to be worked out on the basis of the lowest common factor of the interests of the Member States, but agreement is to be sought on the basis of the highest common factor between Member States and Community.

Secondly — and this goes together with the first point — there is no absolute principle of unanimity. The Treaty provides increasingly for majority decisions in the Council. This majority principle exerts its influence — as the Parliamentary Report rightly points out — not only in being, as did the "Grand Fleet", but it must really be put to use. It is of prime importance for the life

of our Community that this majority principle is already in action — within limits which are at present narrower than they will be in the final stage of our Community. Decisions have been and are being taken by majority vote. It is therefore already established that the progress of the Community cannot be held up by a veto. We would perhaps not be in the happy position of being able to make this finding if — and this is our third point — the functioning of the Council were not bound up with the interplay of the two other constitutional organs of the Community, Parliament and Commission.

When we come to relations between Council and Parliament, it will be apparent from what has already been said why the Parliament has sought to establish with the Council a direct relationship which goes beyond what was envisaged in the Treaty. What we now have is a constitutional practice, perhaps already an element of unwritten constitutional law. It is already a regular practice that once a year Council and Parliament hold a joint meeting and that from time to time the Council makes an oral report to Parliament and that it replies not only to written but also to oral parliamentary questions.

All functions of the Commission, on the other hand, are directly related to the activities of the Council: its function as guardian of the Treaty, to which reference has already been made; its function as mainspring of the Community, since as a rule the Council as legislative organ acts on a proposal from the Commission and only on a proposal from the Commission, and can deviate from the proposals made by the Commission only after a unanimous decision to this effect (the Commission is not convinced that it has at any time shown a lack of initiative in the exercise of this function); and finally its function as a broker, which places on it the responsibility from protecting the interests of the Community when a compromise has to be sought.

2. And that brings me to the Commission.

a) The most important of the internal questions in connection with its operation is that the Commission should have the requisite administrative sub-structure. I must take this opportunity to give a warning that the Commission has reached the limits of its capacity. In connection with the policy for agriculture, the pace of work has fallen behind the plans that were laid down because budgetary decisions have left the Commission without the necessary additions to its staff. With the final say on budget matters the Council has been given responsibility in an essential field. We must urge that this decision, like others, despite the importance attaching to fiscal considerations, be taken in full cognizance of the work and development problems facing our Community. We wish to thank the Parliament that it has never failed to give us its support in this matter.

b) The role of the Commission, too, cannot be understood unless we see it as a part of the general organizational system of our Community. The Parliamentary Report is therefore right in devoting considerable attention to this subject. It has two aspects: the relationship with the Council of Ministers and with national Governments, and the relationship with Parliament.

aa) First, the relationship with Council and Member Governments. What are the facts?

The Commission and its staff co-operate with the Council, with Member Governments and their staffs closely and fully, and this co-operation covers all stages

of the work from the time a concept for any given action begins to take shape till it ends in a legislative act by decision of the Council (or whatever other ending may be appropriate to the procedure). To give some quantitative idea of this co-operation, I would like to quote a few figures: in the period under review 910 meetings were organized by the Commission with experts and officials of the Member States; more than 16 000 officials from Member States have taken part in these meetings (an increase of 40 % on the previous year's figure). To these must be added many forms of co-operation in the Council and in the numerous special committees at various levels which are laid down in the Treaty or in Community legislation...

How then are these facts to be assessed? Do they accord with the intentions of our Treaty, our Constitution?

Broadly, we can only say in reply to this question that the Treaty has two sets of provisions which deal with the matter; the provisions defining the competence of each institution and, secondly, the principle of co-operation enunciated in Article 162.

Two extreme interpretations of the situation are in theory possible. One of these would give strict priority to the system of "competence", on the lines of a sort of principle of separation or exclusive right. Everybody does his own job, he thinks of his own responsibilities and of them alone. The other extreme is referred to in the Parliamentary Report in a markedly depreciatory tone as a "mixed administration", a method which produces results — I quote the report — 'which cannot be imputed to one party or another but only to the whole, which means that each institution not only racks its own brain but the other's brain too, at all levels and at all stages of a procedure'. Neither of these extreme interpretations is correct. It would be more correct to say that the division of responsibilities laid down in the Treaty and the principle of co-operation are complementary. Indeed they must fit in with each other — the force of logic may even force them to fit in. A clear allocation of responsibilities to various institutions in an action intended to produce a homogeneous result is only conceivable with co-operation as an essential corollary. This means refusing to let the assertion of exclusive competence be pressed to the point of dogma — fiat justitia pereat communitas — as well as refusal to accept a free-for-all in which no one can tell who made what contribution to the final result.

[...]

There are in fact good grounds why the Commission and the Council do not restrict their contacts to the impersonal form of an exchange of finished documents.

1. As has already been pointed out when dealing with the transition period, we are moving from separate and individual national responsibilities to Community responsibilities. It is only natural in such a situation that in taking over our new functions we should maintain close contact with those who have so far performed them and who will in any case retain some influence on their further development. And this brings us to point two.

2. A new institution — and all Community institutions are new — cannot possibly collect by direct means all the information required for the efficient

exercise of its responsibilities. If the Commission wants to have a reliable and factual basis on which to work, there is no place where it can obtain more objective information than from the national offices which have up till now been concerned with the business that has to be settled. Of course the Commission also makes use of every other source of information, and it is somewhat paradoxical that the Parliamentary Report seems to look a little askance at our action in obtaining the views of independent experts.

3. The execution of Community measures on the ground, in other words their application to the citizen whom they affect, is by no means always the business of our Community staff. It has already been stated that in many if not in most cases it is the business of national authorities. This too is a reason why there should be close co-operation. The most instructive example of the need for such co-operation can be found in the Management Committees set up under our agricultural policy.

4. More generally speaking, too, it is a good thing if we let those who have so far had sole responsibility in a given field take part in the working out of new solutions. We don't want to force our new European system on anybody, we want to win everyone over to it; and there is no better way of doing this work, which we may frankly call an educational work, a European educational work, than participation in the shaping of Europe itself.

5. This co-operation is based on the concept of reciprocity; indeed co-operation is by definition reciprocal. There could be no greater mistake than to imagine that in this co-operation it was only the Commission or its staff which made concessions. The Parliamentary Report puts forward at one point a picture which suggests a standing conference of Governments going on at various levels with the assistance of three secretariats: the Commission with its staff, the Secretariat of the Council and the Permanent Representatives of the Member States. If that were intended to be a description of the actual state of affairs it would be, as far as the Commission is concerned, at best a gross caricature. It is, however, intended as an extreme expression of an anxiety, of anxiety about the democratic functioning of the Community's institutions and the trend it is following.

6. Finally, if the Commission clung rigidly to what it considers to be right, this would lead to a policy of all or nothing which in many cases would just put a stop to all progress.

So much then can be expressed in general terms; anything else is an individual case. The suggestions which reach the Commission as a result of the co-operation described above may be better than what we thought out for ourselves (for we have not of course made a corner in truth); in such a case we are fully open to conviction. Or we may feel that the suggestion do not go as far as could be desired; that brings up the question whether we should do nothing at all, or should be satisfied for the moment with what falls short of perfection but can at least be attained. Experience will then show whether we have made the right choice.

[...]

But all this must never be allowed to lead to the infringement of two golden rules in the organizational provisions found in our Constitution.

It must not lead to one of the two institutions becoming subordinate to the other; the Treaty has from the outset endowed both Council and Commission with individual responsibilities; neither derives its competence from the competence of the other. Parliament may rest assured, Parliament can be certain, that the Commission will never in deference to anyone be ready to take a decision in which the interest of the Community is subordinated to its own convenience; the Commission is aware that the strength and dynamism of our Community depends in very large measure on the maintenance of its external and internal independence.

Nor must co-operation lead to a situation in which it is no longer possible to recognize where the responsibility of the one or the other institution lies. Here, if I am not mistaken, we find the root of the worry which led the authors of the Parliamentary Report to deal with these problems at such length. That the Parliament should be worried on this score is fully understandable, for legally it is only the Commission which is subject to control by Parliament, and the Commission would escape from this control if it could hide behind a sort of joint responsibility with the Council.

bb) And that brings me to the last basic problem of our constitutional organization, the control exercised by Parliament. The Parliamentary Report deals critically with this problem and links it with that of Parliament's share in the legislative process, in other words the need to consult Parliament before a Council regulation is issued. The two problems do indeed hang together.

The Community has its own legislative powers, and these are exercised in the main by the Council. Regulations issued by the Council do not need to be ratified by national Parliaments. At the same time it is difficult for a national parliament to exercise control over an individual member of the Council, for the deliberations of the Council are secret and in addition certain decisions are taken by majority vote. The constitutional problems connected with the share of the Parliament in legislation and in control of the Executive are thus transferred to Community level. Unquestionably, the solution offered at this level differs markedly from the familiar picture of parliamentary democracy in individual countries. During the passage of a legislative act through the Council Parliament is only consulted, and it exercises control not over the Council but over the Commission, which as a rule shares in the legislative process only through its right of initiative in other words the right to put forward proposals.

It is very understandable that the European Parliament feels this state of affairs to be unsatisfactory. Nor can there be any doubt that a fundamental improvement can only be made by altering the present legal situation and increasing the powers of the Parliament, in particular the part it plays in the legislative process itself. It is only natural that the Parliament is not, however, satisfied with this hope, but is looking for means of strengthening the functions of Parliament within the framework of the existing Constitution. Till such time as the present rules are altered, this strengthening of its position can only be attained by more effective application of the existing possibilities. Before going into various suggestions put forward with this aim in view, I would like to say that by and large the Commission not only understands this tendency but agrees

with it and will do what it can to ensure its success. The members of the Commission are democrats, not technocrats.

[...]

The Report goes on to raise a legal question : if in its regulations the Council includes provisions which cannot be found even in embryonic form in the draft put forward by the Commission, and which have therefore not been discussed in the Parliament, have the rules of procedure been observed in passing the regulation? The answer is that the regulation is procedurally not in order if the Council has introduced something which is new in principle and on which Parliament has not therefore been consulted. For in such a case — and only in such a case — the content of the original proposal has been turned down and the Council — this is the assumption in our fictitious case — has reached a decision on a fresh proposal from the Commission, on which the Parliament has not been consulted at all. This, however, is very unlikely to occur in practice; the thoroughness of the debates in Parliament means that there is little likelihood of a finding that the idea behind a given solution has not been referred to at all and therefore no view has been expressed.

The Parliamentary Report raises a further legal question, namely, whether and how far the Commission may be authorized to reach decisions or to issue regulations without being required to consult Parliament. In practice, however, the Report supplies the answer itself : where it is the implementation of a basic regulation that is concerned, the Treaty only requires that Parliament shall have been consulted when the regulation itself was issued. The importance of the implementing act makes no difference.

As the authors of the Report clearly saw, the position is not the same when the Council of Ministers has simply not accepted a proposal made by Parliament. There is then no legal problem, as the opinions of Parliament are not binding on the Council. But there is a political problem, in that the responsibility of the Commission to Parliament comes into play. Parliament asks and has a right to ask how the Commission has reacted in the course of the legislative process. The Report puts it thus : has the Commission merely passed over in silence the proposal made by the Parliament, has it defended this proposal, has it refused to accept it or has it made a change in its own proposal without defining its own attitude to the content of the parliamentary proposal? Legally, as the Report also rightly brings out, the Commission is no more bound by the views of the Parliament than is the Council : but politically it requires the confidence and support of the Parliament and must therefore, as the Report points out, justify and accept responsibility before Parliament for the divergence of views, as Parliament can expect from the Commission — and from the Council of Ministers — that, to quote the Report, 'its carefully prepared opinions shall be given serious consideration and not simply ignored'.

This line of thought presents no difficulty. It would run counter to the whole purpose of having a European Parliament and of the tasks allotted to it if we disputed this idea. What is more, the Commission must state, and is glad to state, that the principle of consultation with Parliament and the ensuing discussions in committees and in the House are an invaluable addition to the Commission's source of appreciation and help it to decide the line it is to follow.

This view means not only that the Commission must, in any case where it wants to deviate during the legislative process from the views expressed by the Parliament, reflect carefully before it decides to act, but that it must keep Parliament informed and put forward its reasons. Here we have at least part of the answer to another wish expressed by the Parliament, which would like to be better informed on the preparation of Council regulations. Of course the Commission must inform the Parliament (and this means something more than publication to the world at large) when it has deviated from the opinion expressed by Parliament and say why it has done so; the Commission must hope that the reasons put forward will suffice to gain the understanding of Parliament for the action taken. If the matter is handled in this way, we shall obviate the danger already referred to when we were discussing administrative co-operation between Commission and Council, namely the danger that responsibilities become blurred because it is no longer possible to see who, in a particular process, has made what contribution or taken what action. It is perhaps more realistic if Parliament relies on this source of information than if it presses for the publication of reports by the Council concerning its activities and for detailed explanations of the Council's decisions.

I will close these remarks with a glance at the constitutional situation of our Community as a whole. In the last resort a constitution and the way it is applied must be judged by the extent to which it enables those who are given responsibilities to perform good and useful work. If we use this yardstick, we must say that our constitutional system has made it possible to do great things in the almost five years during which our Community has existed. Let us be thankful for that and let us not forget it. Only if we keep this steadily in mind will we be able to avoid a mistake which could be fatal — the mistake of underestimating the possibilities offered by the existing system, with the result that the efforts of thought and will needed to execute the work which could be performed even with the means available to us today may be wasted on schemes for tomorrow, schemes which, as things now stand, may be beyond our grasp. Of course we would all like to have a better, a more perfect system. But we are still far from the point where we have to say that everything has been done that can be done within the framework given to us for our activities and that further progress is being held up by boundaries which it is therefore essential to bring down. To those, too, who are watching us, including those who have announced that they wish to join forces with us, we ought not by loud clamour over our dissatisfaction with the present state of affairs to give the impression that what we have today is a sorry, a feeble thing. That would be a completely untrue picture of the facts. I am certain that the House will agree with me when I say that our Community is not yet fully grown, but it is strong, and it is healthy."

I. Accession of other countries to the Community

Negotiations with the United Kingdom

The negotiations with the United Kingdom were resumed at ministerial level in Brussels on 8 October.

At their eleventh session the Ministers dealt mainly with their future programme of work and the time-table of their next meetings.

Mr. Heath, the head of the British Delegation, also informed the Ministers of the Six of the results of the Commonwealth Prime Ministers' Conference.

The Ministers have decided to meet three times before the end of the year : at the end of October, in mid-November and mid-December. It was further agreed that an extra meeting could be held at the end of November if progress at deputies' level was sufficient to warrant it.

The twelfth ministerial session took place in Brussels on 25, 26 and 27 October.

The Ministers considered the problems of the United Kingdom's domestic agriculture, the British request for nil tariffs, India and Pakistan, and the association of certain Commonwealth countries with the Community.

In the matter of domestic agriculture the Ministers studied the methods by which the British system of deficiency payments could be replaced by the Community system. The United Kingdom request for an extended transitional period was also studied.

It emerged from these discussions that certain technical aspects of these problems required further study.

The Conference therefore requested the Committee of Deputies to supply delegations with the requisite technical information.

The British request for a nil tariff on aluminium and newsprint was discussed between the Six and the United Kingdom Delegation. It was agreed to postpone to the next session a more detailed examination of the solutions proposed.

In the case of the problems concerning India and Pakistan, the Six accepted the British request for a nil tariff on three products : bleached shellac, hand-woven goods, and lemon grass oil. For the remaining products the Six suggested a partial suspension of the Common External Tariff for the period of the trade negotiations between the Community and India and Pakistan. It was agreed that these negotiations would be started within three months from the date on which the United Kingdom joins the Community.

The Ministers further examined the problems of the association of certain Commonwealth countries with the Community in the light of the results of the Commonwealth Prime Ministers' Conference. This was done in restricted session.

All these items will be discussed again at the next ministerial session, to be held in Brussels on 15, 16 and 17 November.

II. The association of Greece with the Community

Convention on administrative co-operation in the implementation of Articles 7 and 8 of the Association Agreement with Greece

The Council's Third Country Association Committee having instructed the Commission to prepare the implementation of the customs provisions of the Association Agreement between the EEC and Greece, a convention has been drawn up, in co-operation with the national administrative authorities establishing a system of goods traffic which will allow the contracting parties to enjoy the tariff and quota preferences stipulated in the Athens Agreement.

These customs arrangements are modelled on those at present prevailing among the Member States. They cover the issue and use of goods traffic certificates which, as in the EEC, fall into two categories : one applicable to direct trade amongst the contracting parties, and the other to indirect trade (transit through third countries).

The Convention lays down the conditions for issuing goods traffic certificates A.G. 1 for goods moved directly from the exporting to the importing Member State, and A.G. 3 for all other cases.

Documents different from those used solely in trade amongst Member States had to be introduced because the benefits to which their production confers entitlement differ according to whether they refer to intra-Community trade or to trade between a Member and an associate State.

Council decision

At its session of 24 and 25 September 1962 the Council approved the texts of the convention and adopted a decision for concluding it on behalf of the Community. The Council further authorized its President to nominate a representative to sign the convention.

The Council proposed to the Greek delegation that the first meeting of the Council of Association between the EEC and Greece be held in Brussels on 12 November 1962.

Signature

On 26 September 1962 the Permanent Representatives of the six Member States of the EEC and, on behalf of the Community, Ambassador Antonio Venturini, Permanent Representative of Italy and Chairman in Office of the Committee of Permanent Representatives, and Ambassador Constantin N. Tranos, Permanent Representative of Greece to the EEC, signed the convention.

The Interim Committee

On 27 September 1962 the EEC-Greece Interim Committee held its fifth meeting at councillor level. It finalized the customs measures to be applied with effect from 1 November 1962, the date of entry into force of the Association Agreement.

III. Association with EEC

Switzerland

On 15 December 1961 the Swiss Government proposed that negotiations be opened with the European Economic Community with a view to a purely economic agreement enabling Switzerland to participate in an enlarged European market ⁽¹⁾. The Council decided at its session of 14 and 15 May 1962 ⁽²⁾ to suggest that a date be fixed near the end of September for the Swiss Government to put forward its views.

A meeting was arranged for 24 September at ministerial level between the Swiss Government and the Council and Commission of EEC, with M. Emilio Colombo, President of the Council, in the chair.

The Swiss delegation was led by M. Friedrich T. Wahlen, Federal Counsellor, head of the Federal Political Department, and by M. Hans Schaffner, Federal Counsellor, head of the Department of Public Economy.

After introductory remarks from M. Colombo, M. Wahlen made a statement presenting the Swiss point of view.

He thanked the Council for affording his Government the opportunity to state its intentions, saying that Switzerland was in favour of the establishment and widening of a large European market and resolved to assume its share of obligations and responsibilities in the expanded Common Market.

"In the arrangements to be concluded with the Community", added M. Wahlen, "Switzerland will have, however, to safeguard her neutrality — guarantee of her independence — her federalist structure and her system of direct democracy. Direct democracy, federalism and neutrality have shaped the political personality of Switzerland".

M. Wahlen further remarked: "The Federal Council have examined, in the light of these considerations, how Switzerland could participate in the integrated European market. It seems to them that association as provided for in Article 238 of the Treaty of Rome best meets the facts of the situation. This solution should, in our opinion, dispel any apprehension that the participation of a neutral State might prejudice the attainment of the Community's objectives which go beyond the economic".

M. Colombo assured the Swiss delegation that their declaration would be studied with particular care by the Council and the Commission. As the applications from neutral countries had certain features in common and were to some extent interdependent, the Council needed time for the necessary studies to obtain an overall view of the special and delicate problems involved. As soon as the Council had formed a definite opinion on the declarations of all the neutrals it would again contact the Swiss Government through the latter's mission in Brussels. The actual date would depend on the Community's obligations arising from the implementation of the Treaty and on the implications and time-table of the many negotiations in which it was already engaged.

⁽¹⁾ See Bulletin 1-62, Chap. VII.

⁽²⁾ See Bulletin 7-62, Chap. VI B.

IV. Activities of the Community

EXTERNAL RELATIONS

Turkey's application for association

1. Further to the Council's discussions ⁽¹⁾ with a view to the conclusion of an agreement associating Turkey with the EEC, negotiations with a Turkish delegation are to be resumed in Brussels early in October.

Relations between the EEC and Israel

2. At its session of 24 to 25 September 1962, the Council decided that negotiations with the Government of Israel should be opened before the end of the year in order to establish, according to the usual procedure, the terms and conditions for a trade agreement ⁽²⁾ or any other suitable arrangement. This decision is in response to Israel's request ⁽³⁾ for negotiations with the Community to safeguard its outlets, particularly for agricultural produce, on the markets of the EEC.

The association of the Netherlands Antilles

3. The Commission has approved and submitted to the Council the opinion it is required to give under Article 236 of the Treaty regarding the draft revision of the Treaty proposed by the Government of the Netherlands with a view to associate status for the Netherlands Antilles. The Commission's opinion is favourable to the draft as a whole.

Nevertheless it deplored the fact that in this proposal, the effect of which will be to attach a new Protocol to the Treaty, it should have been thought advisable to extend the national safeguard clause to the case of goods imported through a Member State ⁽⁴⁾, to which Article 115 would normally apply.

Relations between the EEC and Iran

4. On instructions from the Council, the Commission's staff began talks with the Mission of the Imperial Government of Iran to the EEC on 1 October 1962, with the object of clarifying points raised in a memorandum from the Iranian Government concerning the promotion of trade with the European Economic Community and the possible opening of negotiations.

⁽¹⁾ See Chap. V, the Council.

⁽²⁾ See also Chap. V, the Council.

⁽³⁾ See Fifth General Report, sec. 210 *in fine*.

⁽⁴⁾ See Bulletin 12-61, Chap. IV, sec. 2.

The Community and GATT

GATT Working Party on the association of Greece with the EEC

5. The Working Party set up by the contracting parties to examine the Association Agreement with Greece ⁽¹⁾ met in Geneva from 10 to 15 September. It was in possession of the replies given by the parties to the Association Agreement on the questions raised by the contracting parties following the procedure agreed at the nineteenth session.

At the request of the Member States' representatives, the Commission's delegation spoke for the Community, and gave fuller explanations concerning sundry clauses of the Agreement, and its implementation.

The Working Party fully understood Greece's need to develop economy, and was convinced that the aims of the Association Agreement set forth in Article 2 were compatible with the fundamental objectives of the General Agreement.

The Athens Agreement was scrutinized in the light of Article XXIV of the GATT and other stipulations, such as Article XVII (State-trading Enterprises). The provisions in the Athens Agreement particularly singled out by some members of the Working Party were :

- a) The length of the transition period prescribed by the Agreement for installing the customs union;
- b) The provisions concerning the removal of quantitative restrictions between partners to the association, and the arrangements applicable to non-member countries;
- c) The terms on which the agricultural policies of the partners to the association are to be harmonized, and the application of the rules for liberalizing trade in agricultural produce within the union;
- d) The provisions concerning products subject to State monopoly.

The points made during these proceedings are set forth in a report to be examined at the forthcoming plenary session of the contracting parties.

The United States customs tariff : re-negotiations

6. The United States Government has recently brought out a new customs tariff simplifying the old nomenclature and bringing it up to date. As in many cases this involves altering tariff concessions previously accorded under the GATT, the United States must, under Article XXVIII of the General Agreement, open negotiations to offset loss of advantages.

Article 111 of the Treaty requires that the re-negotiations should be conducted on behalf of the Community by the Commission. A Council decision of 5 December 1961 empowers the Commission to open tariff negotiations with the contracting parties to the General Agreement where any party wishes to modify or withdraw tariff concessions affecting the Community.

(1) See Bulletin 2-62, Chap. VI.

In accordance with this decision, the Commission delegation charged with the negotiations held its first meeting with the United States delegation on 24 September 1962. Members of the Committee set up under Article 111 of the Treaty also attended. The leader of the American delegation explained that the purpose of the reform was to introduce the necessary structural and terminological changes in the old nomenclature to make it scientific and up-to-date. He handed over the working documents collating the new nomenclature with the old and hoped that the negotiations would get off to an early start so that the new tariff could be brought into force on 1 January 1963. The Commission's representative pointed out that the documentation supplied would have to be examined thoroughly before an opening date for the negotiations could be fixed.

The Cotton Textiles Committee

7. The long-term Arrangement for cotton textiles ⁽¹⁾ came into force on 1 October 1962. Valid for five years, the purpose of this arrangement is, like the short-term Arrangement concluded on 21 July 1961 ⁽²⁾, to regulate international trade in cotton textiles. To this end it provides for an easing of the quantitative restrictions still applied by certain importing countries, substantially widening quotas and gradually abolishing them. For products not subject to quantitative restrictions special measures, which do not in any way modify countries' fundamental rights and obligations under the General Agreement, authorize importing countries to limit their imports when they cause or threaten to cause a disruption of their markets.

The Cotton Textiles Committee met in Geneva on 10, 11, 12 and 26 September 1962 to settle outstanding problems before the entry into force of the long-term Arrangement.

In particular, it examined the notification by importing countries still maintaining quantitative restrictions of the percentage quota increases to be reached by the end of the five-year period for which the Arrangement is valid.

The following figures were adduced, for inclusion in Annex A : EEC 88 %, Austria 95 %, Denmark 15 %, Sweden 15 %, Norway 15 %.

In addition, the Committee declared itself in favour of the accession of the United Arab Republic to the long-term Arrangement. Applications for accession by Colombia and the Republic of China will be examined at a meeting subsequent to the entry into force of the Arrangement.

On the basis of notes presented by Japan, the United Kingdom and the United States, the Committee studied the problem of the deliberate substitution of directly competitive textiles for cotton textiles (Article 6 b of the Arrangement). It was decided that those members of the Committee who were interested in the interpretation of the relevant clauses of the Arrangement would consult among themselves and report back to the Committee in due course.

On 1 October 1962, the date of entry into force of the Arrangement, the following had acceded : Canada, Denmark, Hong Kong, India, Israel, Japan, Norway,

⁽¹⁾ See Bulletin 3-62, Chap. VI, sec. 3.

⁽²⁾ See Bulletin 9-10/62, Chap. V, sec. 2.

Pakistan, Portugal, Spain, Sweden, the United Arab Republic, the United Kingdom, the United States and the EEC Member States. In accordance with the decision taken by the Council on 24 September 1962 ⁽¹⁾ the Community States attached a declaration to their signatures stipulating that "whenever obligations under the Treaty establishing the European Economic Community in respect of the progressive introduction of a common commercial policy may render it necessary, negotiations will be opened as soon as possible for appropriately amending the present Arrangement".

Relations with international organizations

The Council of Europe

8. The Community was represented at the second part of the fourteenth session of the Council of Europe's Consultative Assembly held from 19 to 25 September 1962.

The Assembly held an important debate on the political union of Europe. It opened with the presentation of a report by M. Pflimlin on the general policy of the Council of Europe's Member States and on European economic relations.

"Though it is true", said the Rapporteur, "that the Community has had nothing but success so far, it is also true that it has not yet had to cope with a serious recession crisis or a relapse into inflation".

Political union, M. Pflimlin urged, should be based on the Institutions already set up in the existing Communities, and any political union should be subject to Parliamentary control.

At the end of the debate, the Consultative Assembly adopted a recommendation calling on the Governments of the EEC member countries and of the United Kingdom to press forward the current negotiations to a successful conclusion. The recommendation voices the same sentiment with regard to the negotiations with Denmark, Norway and Turkey. It also invites the EEC countries to start negotiations with Ireland and to state their views on the problems raised by the applications for association from the three neutral countries (Austria, Sweden and Switzerland), whose cases should be dealt with as soon as possible. Lastly, the recommendation calls for the resumption of negotiations on European political union: at the same time "a differentiated system of European unification" should be worked out, i.e. a Community of full members, endowed with political, economic and military institutions, and permitting the association of States which could not commit themselves to full membership.

The other points dealt with by the Assembly included the question of economic relations between North America and Europe in the light of European integration; a recommendation was adopted stressing the need for rapid concerted action to remedy payments imbalances in the Atlantic area, having due regard to the agreed arrangements for stabilizing the key currencies, and the work of the International Monetary Fund. The Assembly recommends the Committee of Ministers to urge the OECD to improve its co-operation machinery especially with regard to short-

(1) See this Bulletin, Chap. V, The Council.

term capital movements, and to press on with its research into the cost inflation trends now apparent in the western world.

The report from M. Kershaw, the Economic Committee's Rapporteur, on "European energy problems" was approved unanimously by the Consultative Assembly. After an account of the present situation of the energy market and its development trends, the report presents a recommendation stressing Europe's need for cheap energy with the greatest possible security of supplies.

The aims proclaimed, and the ways of achieving them (in particular the possible subsidizing of mines which it was decided to keep going despite output costs exceeding the price of imported coal) conform in every respect with the proposals made by the Executives of the three Communities in the memorandum on energy policy transmitted to Governments last June.

Economic Commission for Europe

9. The Community was represented at the eleventh session of the Commission on the Development of Commerce of the United Nations Economic Commission for Europe, held in Geneva from 17 to 25 September 1962.

One item on the agenda was the impact on intra-European trade of the efforts to achieve greater sub-regional economic integration in Europe, but no new recommendation was adopted. As at previous sessions the representatives of the countries of eastern Europe once again criticized the Community on a number of points. In addition to the usual arguments, they attacked the common agricultural policy.

During the debate on trends and prospects in intra-European trade, the Italian delegation made a general statement on behalf of the Six to the effect that in the light of recent developments in trade between the Community countries and those of eastern Europe, no action should be taken on a Polish proposal to set up a working party to study the outlook for trade in agricultural produce in Europe. When the debate was wound up, the Polish proposal was rejected.

Economic Commission for Africa

10. On the invitation of the United Nations Economic Commission for Africa (ECA) officials from the EEC Commission took part in the first session of the ECA Standing Committee on Trade, held in Addis Ababa (Ethiopia) from 12 to 22 September 1962.

The discussion centred round two main categories of problems: first, purely African questions, which did not require, unless formally asked for, a statement of the EEC Commissions' views, second, questions ranging beyond the confines of Africa and of concern to the Community and the Association. On these, the EEC delegates took an active part in the discussion.

The second group of questions included the stabilization of commodity prices, on which the EEC representatives addressed the meeting, stressing the constructive nature of the Community's stabilization proposals.

Another point was the impact of western European economic groupings on the African economies. During technical discussions on this matter certain African States both associated and non-associated gave their views on the Association. Among the arguments put forward by its opponents was the allegation that the Common Market is hampering the industrialization of one or other type of State and preventing intra-African trade between the associated countries and third countries by dividing Africa into separate blocs; some speakers feared that the Common Market would cause diversions of trade.

The Community's representatives replied to these objections by referring to Article 133 (3) of the EEC Treaty, which authorizes the associated States to give their infant industries tariff protection, and by quoting statistics to prove that there has been no diversion of trade at the expense of non-associated countries so far.

The final report of the ECA Standing Committee on Trade noted the misgivings voiced by non-associated countries whose main customer is western Europe but found that EEC trade with third countries had not so far been adversely affected by the implementation of the Treaty of Rome.

The Committee also noted that the Community was willing to embark on consultations with any non-member countries which felt that their foreign trade was injured by the implementation of the Treaty.

International Labour Office

11. The Liaison Committees set up between the EEC Commission and the International Labour Office met at ILO headquarters in Geneva on 20 September 1962. M. Levi Sandri and M. Rochereau, members of the Commission, took part. The meeting took stock of relations between the two institutions and agreed on ways and means of working together on certain projects of special common interest concerning vocational training, industrial health and safety, the harmonization of European social security schemes, and technical co-operation.

Commodity problems

International coffee agreement

12. The United Nations Conference on Coffee held its opening session on 28 September as planned ⁽¹⁾.

Many States including Brazil, the United States and three EEC Member States — France, Italy and Belgium — signed the new long-term coffee agreement. The Netherlands and the Federal Republic stated that they were in principle willing to sign. The agreement will remain open for signature until 30 November 1962.

The agreement will finally come into force when 20 exporting countries and 10 importing countries, accounting for 80 % of world trade in 1961, have lodged instruments of ratification with the United Nations Secretariat. This procedure

⁽¹⁾ See Bulletin 9-10/62, Chap. V, sec. 5.

must have been completed by 31 December 1963. However, the agreement might be provisionally enforced provided countries representing the same percentage of world trade before this date, previously declared their intention of ratifying it.

The Member States will endeavour to issue a Community declaration of intention.

Appointment by the associated countries of representatives to the Community

13. The competent EEC institutions have noted the appointment of His Excellency Ambassador Mamadou Touré as the Representative of the Islamic Republic of Mauritania with the European Economic Community; M. Mamadou Touré will succeed Ambassador Mamoudou Touré, who has resigned.

Non-member country missions to the Community

14. The competent EEC institutions have given their agrément to the appointment of Ambassadors Nagib Sadaka as head of the Lebanon Mission, Slaheddine El Goulli as head of the Tunisian Mission and Walter Moreira Salles as head of the Brazilian Mission.

ECONOMIC AND FINANCIAL AFFAIRS

Economic policy

15. Notes on economic developments — prepared end of October 1962

COMMUNITY

			April	May	June	July	Aug.
Industrial production ⁽¹⁾	1961	127	127	127	127	127	127
	1958 = 100	1962	134	134	135	135	136
Imports from non-member countries	1961	1 712	1 758	1 741	1 603	1 524	
cif ⁽²⁾	in \$ million	1962	1 749	1 997	1 865	1 870	1 730
Exports to non-member countries	1961	1 654	1 661	1 727	1 697	1 611	
fob,	in \$ million	1962	1 650	1 769	1 685	1 734	1 547
Trade balance ⁽³⁾ ,	1961	— 58	— 97	— 14	+ 94	+ 87	
	in \$ million	1962	— 99	— 228	— 180	— 136	— 183
Trade between member countries ⁽²⁾ , ⁽³⁾	1961	940	986	1 019	992	915	
	in \$ million	1962	1 025	1 139	1 067	1 150	1 029
Gold and foreign exchange reserves ⁽⁴⁾ ,	1961	15 189	15 404	15 889	16 220	15 831	
	in \$ million	1962	15 998	15 196	16 352	16 179	16 301

⁽¹⁾ Index of the Statistical Office of the European Communities, adjusted for seasonal and random variations.

⁽²⁾ Uncorrected for changes made at the beginning of 1962 in the method of compiling customs returns in France and Western Germany, these changes will be taken into account in due course.

⁽³⁾ Calculated on the basis of imports.

⁽⁴⁾ Amount held by the monetary authorities at end of month.

The moderate expansion of production continued in August; domestic demand seems still to have been the only stimulating factor.

There was no increase in exports to non-member countries. These again fell below the corresponding 1961 level but this was still partly attributable to the drop in exports to Algeria. Actual outlay on fixed investment, on the other hand, continued to creep upwards, although there seems to have been a further decline in the propensity to invest. Thanks to earlier and continuing wage increases, private consumption continued to expand vigorously, providing, together with current public expenditure on goods and services, the most dynamic element in overall demand.

Industrial output once more made only meagre progress in August. The usual seasonal recovery in the autumn, however, seems to have been quite marked. Services may well have developed at a relatively fast pace. Imports from non-member countries continued to expand vigorously, and owing to the trend in demand high growth-rates were recorded, especially for consumer durables. The more rapid growth of trade between the Community countries may well be connected with the reduction of internal customs duties on 1 July.

The restraining effect of relatively good harvests on the price trend continued.

Despite the deterioration of the balance of trade, the official gold and foreign exchange reserves showed a distinct rise, owing largely to increasing receipt from services.

FEDERAL REPUBLIC OF GERMANY

		May	June	July	Aug.	Sept.
Industrial production ⁽¹⁾	1961	128	127	127	127	128
	1958 = 100	1962	133	134	134	.
Number of unemployed in thousands	1961	111.5	99.2	93.3	98.4	94.9
	1962	97.9	87.6	84.9	83.0	83.2
Orders received	1961	142	145	137	132	141
	1958 = 100	1962	155	146	142	(137)
Turnover in retail trade	1961	121	115	120	117	116
	1958 = 100	1962	131	131	129	125
Consumer prices	1961	104.8	105.6	105.8	105.5	105.3
	1958 = 100	1962	109.2	109.8	110.3	108.6
Imports, cif	1961	936	934	930	870	921
	in \$ million	1962	1 093	1 037	1 053	988
Exports, fob	1961	1 012	1 108	1 058	1 019	1 079
	in \$ million	1962	1 170	1 078	1 125	1 044
Gold and foreign exchange reserves net ⁽²⁾	1961	6 705	6 845	6 729	6 423	6 437
	in \$ million	1962	6 082	6 233	6 209	6 257

⁽¹⁾ Index of the Statistical Office of the European Communities, adjusted for seasonal and random variations.

⁽²⁾ Held by the Deutsche Bundesbank at end of month.

On the whole, economic expansion in September was again moderate.

Exports once more made poor progress, exceeding the corresponding 1961 figures only by a bare 1 %. Whereas capital expenditure on building continued to advance extremely briskly, investment in equipment grew distinctly more slowly, judging from the sales of typical investment goods. The rise in private consumption appears to have continued in September, but the figures for retail sales in recent months indicate that the growth-rate of consumer expenditure has been gradually falling off.

Industrial production continued to make fair progress; according to the national index, the year-to-year growth-rate fell from 5.9 % in August to 5.4 % in September. Although unemployment rose slightly as early as September, which is contrary to the seasonal tendency, strain on the labour market does not appear to have eased to any noteworthy extent; the number of vacancies was still seven times the number of unemployed. Imports were only 5.6 % higher than in the corresponding period of 1961, as against 13.6 % in August, partly because of a recent fall in agricultural imports.

Although the surplus of \$ 118 million on trade was higher than in recent months, it was still considerably less than in the corresponding month last year. The Bundesbank's gold and foreign exchange reserves soared by about \$ 200 million. One of the reasons for this was that the commercial banks repatriated part of their balances abroad to strengthen their internal liquidity reserves.

The Federal Government has announced a programme to stabilize prices by limiting the growth of public expenditure and by measures in the building sector.

FRANCE

		May	June	July	Aug.	Sept.
Industrial production ⁽¹⁾	1961	119	119	120	120	121
	1958 = 100	1962	128	128	129	129
Number of persons seeking employment ⁽²⁾	1961	110	113	113	113	111
	in thousands	1962	95	99	111	.
Turnover of large retail stores (Paris)	1961	133	140	114	100	147
	1958 = 100	1962	157	154	125	112
Consumer prices (Paris)	1961	111.6	111.4	112.2	112.9	113.5
	1958 = 100	1962	118.3	118.7	119.3	119.0
Imports, cif	1961	575	606	512	466	505
	in \$ million	1962	659	614	603	539
Exports, fob	1961	619	640	606	505	583
	in \$ million	1962	619	614	622	479
Trade balance (with foreign exchange areas)	1961	+ 23.1	- 2.0	+ 54.7	+ 14.4	+ 36.3
	in \$ million	1962	- 4.7	+ 44.6	+ 33.4	- 39.5
Gold and foreign exchange reserves ⁽³⁾	1961	2 606	2 777	2 965	2 811	2 816
	in \$ million	1962	3 492	3 484	3 332	3 414

⁽¹⁾ Index of the Statistical Office of the European Communities, adjusted for seasonal and random variations.

⁽²⁾ End of month figures seasonally adjusted.

⁽³⁾ Amount held by the monetary authorities at end of month.

Economic activity in general continued to expand in September.

True, external demand showed hardly any growth : exports to countries outside the franc area rose by only very little, if seasonal fluctuations are discounted, and exports to the franc area were still affected by the uncertainty of the situation in Algeria. Domestic demand, however, remained extremely buoyant, the emphasis having shifted somewhat from investment to private consumption. Household incomes are rising more rapidly : substantial pay rises were granted in industry and in the public services. Furthermore, at the September review of wages and salaries held under the national incomes policy a number of improvements to family allowances were made, and more especially the guaranteed minimum wage was increased by 4.5 % as from 1 November.

The main features of the trend in supply continued to be growing industrial production (with a year-to-year growth-rate of 8 % in July/August) and heavier imports, especially of consumer goods.

The level of consumer prices went up again somewhat in September, particularly for finished industrial goods and services.

Although the balance on trade with countries outside the franc area has for some time been declining, the increase in gold and foreign exchange reserves was markedly greater in September.

ITALY

			April	May	June	July	Aug.
Industrial production (1)	1961		136	138	141	144	145
	1958 = 100	1962	153	154	154	155	156
Number of unemployed	1961		1 412	1 347	1 283	1 283	1 260
	in thousands	1962	1 180	1 102	1 037	1 032	.
Internal trade turnover in main	1961		165	195	165	198	156
investment goods (2)	1958 = 100	1962	177	211	206	.	184
Cost of living	1961		104.7	105.1	105.2	105.1	105.3
	1958 = 100	1962	110.6	110.7	111.4	111.9	111.7
Imports, cif	1961		426	463	426	431	400
	in \$ million	1962	475	516	465	561	453
Exports, fob	1961		323	335	326	376	342
	in \$ million	1962	363	399	383	424	348
Official gold and foreign exchange	1961		2 948	3 003	3 108	3 232	3 364
reserves (3)	in \$ million	1962	3 274	3 204	3 239	3 152	3 230
Yield on fixed-interest-bearing	1961		4.92	4.97	4.98	4.99	4.97
securities	in %	1962	4.78	4.91	5.42	5.32	5.23

(1) Index of the Statistical Office of the European Communities, adjusted for seasonal and random variations.

(2) Machines, apparatus and electrical equipment, calculated on the basis of revenue from turnover tax.

(3) Amount held by the monetary authorities at end of month.

In August the slow growth of the economy continued, sustained almost entirely by private consumption.

Exports were no more than 1.5 % higher than in August 1961. This denotes a further and considerable fall in the year-to-year growth-rate, which was 12.5 %

in July; moreover, the drop in July was due entirely to a decline in exports of machinery, appliances and transport equipment. Fixed investment does not seem to have provided any notable stimulus. Stimulated by the rapid increase in mass income, private consumption alone continued to show a marked upward trend, as may be inferred from developments in the relevant sectors of production and foreign trade.

The expansion of industrial production continued and the level for the corresponding 1961 period was exceeded by over 9 % (July 8.8 %). Following a large increase in imports in July — doubtless due to tariff cuts made just previously — the year-to-year growth-rate dropped in the month under review to 13 % (30 % in July). Even so, it was still higher than in the first and second quarters (10.5 %). The cost of living fell slightly for the first time in a year but probably went up again in September since, owing to the continuing drought, the new harvest did not swell food supplies as much as had been hoped. Despite the heavy increase in the deficit on trade and a further deficit on capital account, official gold and foreign exchange reserves went up by almost \$ 80 million, thanks to receipts from services, foreign tourist traffic again reaching record figures.

NETHERLANDS

		May	June	July	Aug.	Sept.
Industrial production (1)	1961	128	127	127	128	130
	1958 = 100	1962	131	132	133	135
Number of unemployed	1961	26	24	29	28	27
	in thousands	1962	24	23	28	28
Building permits for housing	1961	11 975	8 824	9 267	10 597	9 078
(number)	1962	5 300	8 448	7 413	5 749	7 687
Private consumption (value)	1961	121	117	131	115	117
	1958 = 100	1962	130	130	134	124
Consumer prices	1961	104	104	105	105	106
	1958 = 100	1962	107	109	108	109
Imports, cif	1961	418	448	399	396	427
	in \$ million	1962	475	440	459	391
Exports, fob	1961	347	342	338	339	406
	in \$ million	1962	378	396	356	351
Gold and foreign exchange	1961	1 652	1 700	1 753	1 710	1 723
reserves (2)	in \$ million	1962	1 786	1 794	1 866	1 775

(1) Index of the Statistical Office of the European Communities, adjusted for seasonal and random variations.

(2) Held by the Nederlandsche Bank N.V. at end of month.

The slightly faster growth of production continued in the summer months, sustained mainly by private consumption.

Exports appear to have shown little further expansion in August/September; at any rate, their year-to-year growth-rate of 2 % was again smaller in this period.

However, the inflow of orders, according to the Central Statistical Office's latest business survey, rose slightly in September for both consumption and investment goods. Yet once more the slow growth of investment demand rather slackened. Private consumer expenditure, on the other hand, continued to expand briskly and was more than 7.5 % higher in August than a year earlier.

Industrial production again advanced slightly faster, the year-to-year growth-rate rising to 6 % in August. Imports, after expanding vigorously in the two previous months — doubtless owing to the cut in internal tariffs on 1 July — even fell below the level for September 1961 as a result of certain special factors.

In September the labour market at least did not show signs of increasing strain as it had done in the previous months, the main reason being probably the high number of school-leavers this year.

Official rent increases may have led to a fresh rise in the level of consumer prices in September. The slight hardening of the money market on the approach of the big tax collection date should prove shortlived, especially since the 6 % rate, to which the Central Bank had as a precautionary measure lowered the commercial banks' minimum reserve obligations at the end of September, will still be maintained in November.

BELGIUM

		May	June	July	Aug.	Sept.
Industrial production (1)	1961	117	117	118	118	118
	1958 = 100	1962	119	119	120	.
Number of unemployed	1961	83	78	72	70	69
	in thousands	1962	41	37	35	35
Number of non-residential buildings put in hand (number)	1961	572	648	546	622	578
	1962	416	531	390	.	.
Turnover of large retail stores	1961	111	116	119	103	110
	1958 = 100	1962	119	125	117	110
Consumer price	1961	102.3	102.5	102.9	103.1	102.9
	1958 = 100	1962	104.9	105.5	104.9	103.6
Imports, cif	1961	354	353	326	321	334
	in \$ million	1962	397	383	357	339
Exports, fob	1961	331	340	314	289	355
	in \$ million	1962	359	374	356	303
Gold and foreign exchange reserves (2)	1961	1 438	1 459	1 541	1 523	1 562
	in \$ million	1962	1 632	1 602	1 620	1 625

(1) Index of the Statistical Office of the European Communities, adjusted for seasonal and random variations.

(2) Held by the Banque nationale de Belgique at end of month.

Production continued to make moderate progress in September.

External demand appears to have developed somewhat more slowly. However the fall in the year-to-year growth-rate of exports — from 9.5 % in July/August to 2.5 % in September — is partly accounted for by special factors. Investment activity still seems to have been rather brisk, particularly in the oil industry and electricity. The trend in retail sales indicates that private consumption grew

somewhat more rapidly, particularly as regards textiles and electrical domestic appliances.

The slight upward trend in industrial production as a whole appears to have been maintained. However, iron and steel output marked time and the production of non-ferrous metal even fell off. The year-to-year growth-rate of imports showed a distinct fall in August (to 5.5 %), but this was probably partly an after-effect of the heavy increase recorded in the previous month following the reduction of internal customs duties on 1 July.

The slight increase in the index of consumer prices can mainly be attributed to higher prices for industrial products. Conditions on money market tightened somewhat in October, principally owing to the issue of a loan for roadbuilding.

GRAND DUCHY OF LUXEMBOURG

		May	June	July	Aug.	Sept.
Industrial production (1)	1961	118	118	118	118	118
	1958 = 100	1962	111	111	.	.
Output of crude steel	1961	349	361	359	346	352
in thousand tons	1962	334	329	335	321	347
Building and construction (2)	1961	109	108	110	112	105
	1958 = 100	1962	118	112	111	108
Workers employed in industry	1961	46.3	46.9	47.0	47.1	47.2
in thousands	1962	47.8	48.4	48.6	48.0	48.1
Consumer prices (3)	1961	100.6	101.3	101.3	101.9	101.8
	1958 = 100	1962	101.6	102.6	102.5	103.1

(1) Index of the Statistical Office of the European Communities, adjusted for seasonal and random variations.

(2) Index based on the figure for man-hours worked.

(3) October 1961 : 101.5; October 1962 : 102.3.

The economic situation showed no positive improvement in the late summer.

The slight recovery of iron and steel exports in July was not maintained in August. Partial information for September, however, paints a somewhat more favourable picture. The growth-rate for fixed investment as a whole, which was already only moderate, was depressed in July/August by a slackening of activity in the building sector. The slight upward trend in private consumption continued.

In July/August industrial production as a whole seems if anything to have declined slightly. The national index was 8 points lower than a year earlier (it had been 7.5 lower in May/June). However, production seems to have recovered in September.

Lower prices for the main foodstuffs brought down the index of consumer prices in October. On the other hand, certain services not taken into account in the index appear to have become considerably dearer.

The quarterly survey of the economic situation in the Community in 1962

16. The slow growth of the Community's industrial output continued. The rise in the seasonally adjusted index of the Statistical Office of the European

Communities was about 1 % from the first to the second quarter, when the level of output in the second quarter of 1961 was passed by about 6 %. Expansion in the services sector was probably a little more rapid.

The expansion of production in certain member countries and branches continued to be handicapped by labour shortages, but the effect of this factor seems to have declined somewhat in isolated cases, where the greater amount of slack to be taken up is attributable rather to more sluggish demand against a background of steadily expanding capacity.

The total number of persons in employment again rose slowly and there was a further fall in unemployment. In industry, however, the growth of numbers employed was relatively small, and was moreover almost completely offset by shorter working hours. However, productivity per manhour again forged ahead. Almost the entire increase in industrial production over the second quarter of 1961 is probably attributable to the rise in output per manhour.

Partly under the influence of extraordinary factors, such as heavier buying of foodstuffs, imports from non-member countries were quite high. In the second quarter they were by value about 8 % above the level of the corresponding period of the previous year. The trade balance showed a deficit of almost \$ 500 million compared with \$ 169 million in the second quarter of 1961. Nevertheless, the balance of payments, both on current account and overall was probably in surplus, although distinctly less so than at the same period of 1961.

The Commission of the European Economic Community has just published its quarterly survey of the economic situation in the Community. This report outlines the main features of the current economic situation in the Community as a whole and in the individual member countries, considers the outlook for the rest of the year and the first half of 1963 and examines the problems of economic policy involved.

The Commission notes that the pace of economic growth in the Community continued to be relatively moderate in the second quarter and — as far as can be judged at this stage — in the summer months also. The trend of demand became an increasingly important factor, even though in certain countries and branches physical obstacles still set limits to growth.

Overall demand again went up, but apparently the pace was once again somewhat slower. The improvement in exports to non-member countries in the first quarter gave way to another phase of relative stability from May onwards. In fact, exports in the second quarter were up only about 1 % (in value) on the corresponding figure for the previous year. Furthermore, the tendency for the growth of fixed asset formation to fall off became definitely more marked, although building investment rose strongly in the second quarter — a reaction after the stagnation caused by exceptionally bad weather early in the year. Finally, investment in stocks made hardly any contribution to overall demand. Against this, private consumers' expenditure — particularly as a result of sharp wage increases — again expanded somewhat more than in the early months. In terms of volume, the growth of consumption was adversely influenced by rising prices, but even if this factor is taken into consideration consumption expanded at least as fast as in the first quarter. In most member countries outlay by the public authorities on consumption also showed quite a clear rise.

The upward pressure on prices went on building up until July. This was mainly attributable, however, to higher prices for certain foodstuffs owing to bad weather. Since July there have been some downward adjustments. Apart from this extraordinary movement, prices of services and industrial products continued to soar though they seem to have slowed down somewhat in the case of the latter.

The Commission considers that the outlook up to the end of the year promises no important change in these general economic trends. This being so, there are still no grounds for amending the estimates given at the beginning of the year for 1962 as a whole (real gross national produce + 4.5 — 5 %, industrial production + 5.5 %).

A survey of probable development trends in 1963 — in the first instance, chiefly the outlook for the first half-year — indicates that the Community's growth rate will continue to flatten out. To begin with, the weaker expansion in most industrialized non-member countries' economies — particularly the United States' — and the fact that demand from the developing countries may well be practically stationary, will probably keep any increase in Community exports within quite narrow limits. Secondly, the growth of investment in the Community will again slow down. The foreseeable further rapid expansion of private consumption will probably not fully make up for the effects on overall demand of the consequent loss of momentum. Finally, the growth of income and consumption will itself not be entirely unaffected by the slowdown in the growth of exports and particularly of investment.

In view of this outlook, economic policy will have to come to grips with the difficult problem of preventing above all any excessive falling off in investment, and therefore economic expansion in general while at the same time combating trends towards higher prices which will probably continue far into 1963, even though they may have spent some of their force.

Committee of Experts on Economic Trends

17. On 18 September 1962 the Committee of Experts on Economic Trends held its quarterly meeting, devoted to an examination of the Community's economic situation and development prospects. In particular it considered the data supplied by the member countries and the Commission's staff concerning foreseeable business trends in 1963, especially for the first half year. By and large, the experts' opinions coincided with the views expressed by the Commission's staff in their draft report. The expansion of economic activity is expected to continue into 1963, although a slight loss of momentum in the growth of global demand must be reckoned with. This will probably be partly due to the weakness of foreign demand, for the experts and the Commission believe that world business will be expanding at a less lively tempo next year.

Economic Policy Committee

18. The Economic Policy Committee held its eleventh meeting on 14 September 1962. Professor Müller-Armack was in the chair.

The Committee discussed the economic situation in the member countries, with particular reference to price and wage trends, and gave the Commission its opinion on these matters.

INTERNAL MARKET

Tariff quotas for 1963

19. The first consultation with Member States' experts to examine applications for tariff quotas for 1963 — either under Article 25 of the Treaty, or under the protocols annexed to the agreement on list G — was held on 26 and 27 September.

Before the Committee turned to specific cases, it was recalled that the Council had, at its session of 23 and 24 July 1962, adopted a resolution to the effect that it would take the following principles into consideration in 1963 in its own decisions on the granting of tariff quotas :

- a) Lower rates to be set from 1 July 1963 onwards, with certain exceptions;
- b) Not to exceed the number of quotas granted in 1962;
- c) To scale down the volume of tariff quotas.

These principles may also be appropriate for the Commission in so far as they support the pragmatic policy it intends to pursue. It goes without saying that certain quotas to be granted under the protocols annexed to the agreement on List G constitute a separate problem.

These were the factors in the light of which the applications for tariff quotas in 1963 sent in by the Member States were examined by the Member States' experts at the consultative meeting. In this respect, it should be noted that not all the applications submitted were examined, but only that part which, in accordance with the principles adopted by the Commission in agreement with the Member States, are not dealt with under a simplified procedure. This is confined, as a general rule, to applications already accepted during 1962, provided the quota requested for 1963 is not more than 20 % bigger than that granted in 1962, and no objection was raised by non-applicant Member States at the time. New applications and applications concerning products for which only an adjustment quota was granted in 1962 are among those debarred from the simplified procedure.

The situation with regard to applications for 1963 as compared with 1962 is as follows :

Enactment cited	Applications submitted in 1962	Applications withdrawn (including those for which Community solutions were found)	Remainder	Quotas granted	Applications (*) submitted for 1963
Art. 25 (1)	58	30	28	28	28
Art. 25 (2)	92	73	19	10	26
Art. 25 (3)	85	26	59	30	37
List G	43	6	37	36	36
Total :	278	135	143	104	127

(*) Not including applications covering products for which a Community solution has been found.

Thus the number of applications for 1963 is less than half those originally submitted for 1962, and slightly below the number that still remained after the numerous withdrawals made by Member States at the request of the Council and of the Commission.

It is therefore certain that the number of quotas granted for 1963 will be no greater than for 1962, since the Commission will examine applications on the same principles as before.

The encouraging positions taken up by the various delegations at these first meetings warrant the assumption that the Commission's staff will be able to process the applications fast enough for most of them to be dealt with within the prescribed time-limits.

COMPETITION

Rules applicable to enterprises

First meeting of the Consultative Committee on cartels and dominant positions set up under Council Regulation No. 17

20. The first joint meeting with the Consultative Committee took place in Brussels on 25 and 26 September. Having dealt with sundry questions of internal procedure, the Committee rendered a final opinion on one cartel case and a provisional opinion on another. In a third case it noted that the cartel in question had of its own accord discontinued the practices impugned.

The Committee's opinions are of cardinal importance as they form an essential part of the procedure for the application of Articles 85 and 86 of the Treaty and their implementing regulations. They guarantee that the decisions which the Commission will be called on to take in this complex and difficult field will be impartial, and that a Community case-law on cartels and dominant positions will gradually be built up.

The Consultative Committee is due to meet again on 22 and 23 November and 18 and 19 December 1962.

Working party of government experts to study the question of exclusive agency agreements

21. Experts from the Member States and the Commission met from 17 to 21 September, and on 1 and 2 October 1962 to study the problems arising from the application to exclusive agency agreements of Article 85 of the Treaty and Regulation No. 17. They noted statements by several national delegations concerning the legal situation in their country, together with memoranda presented by the Union of Industries of the European Community, the International Chamber of Commerce (ICC) and the International Union of brokers and independent commercial agents, on the treatment of exclusive dealing contracts in relation to the rules of competition under the Treaty of Rome.

A working document prepared by the Commission was accepted as the basis of discussion. The experts then formulated suggestions to be put up for decision by the competent Community authorities.

Approximation of legislation

Second meeting of the Working Party on approximation of penal provisions of concern to the Common Market

22. Government experts and representatives from Benelux and the Council of Europe took part in this meeting which was held in Brussels on 27 and 28 September.

They went over a report by Professor Mulder (Leyden) on work in this field in Benelux and the Council of Europe, with a view to finding a prospective Community solution.

M. Gruetzner, *Ministerialrat* in the Ministry of Justice at Bonn was asked to report on the penalties enforced by the Member States in this field.

Fiscal problems

Harmonization of turnover taxes

23. A joint meeting of the Commission and the heads of the national tax departments was held in Brussels on 13 September 1962 to study the problem of the harmonization of turnover taxes pursuant to Article 99 of the Treaty. The chair was taken by M. von der Groeben, member of the Commission and President of the group on competition.

The meeting took cognizance of the draft directive prepared by the Commission for gradually harmonizing legislation on turnover taxes.

A draft directive for submission to the Council will shortly be the subject of a Commission decision.

Application of Articles 95 to 97 of the Treaty

24. Since the Government of the Federal Republic of Germany has failed to conform with the provisions of Articles 95 and 97 of the Treaty with regard to the countervailing on imports of worsted yarn, and has not undertaken to do so within the set time-limit, the Commission has issued a directive ⁽¹⁾ requesting the Federal Government to amend the duty on worsted yarn from EEC Member States within three months of the date of communication of the directive. The new rate of duty must be such that the internal charges directly or indirectly levied on imported worsted yarn are on average no greater than those directly or indirectly levied on similar domestic products. The three months are up on 14 November of this year.

At its meeting in Brussels on 17 September Working Party No. 11, responsible for studying the application of Articles 95 to 97 of the Treaty to turnover taxes, examined the current rate of the countervailing duty on worsted yarn in Germany.

The Working Party also completed its technical review of the common method of calculating countervailing duty on imports and drawback on exports. It was again obvious that opinions on the method still differ.

⁽¹⁾ See page 2215 of No. 82 of the official gazette of the European Communities of 20 September 1962.

The Commission has not yet pronounced on the question as a whole nor on the application of the decision by the representatives of the government of Member States meeting in Council on 21 June 1960 ⁽¹⁾. This decision, which was also discussed at the meeting on 17 September 1962, limits the possibility for Member States of adjusting the rates of turnover tax on imports and drawback on exports.

State aids

25. The Commission has been seized of a project for the extraction of lead and zinc ores, by way of an equalization fund to be set up by a Member State. This project was discussed with the member countries' experts on 24 September. They also considered the need for seeking a Community solution to the common difficulties encountered by all the Community countries producing lead and zinc. These discussions are to be continued.

SOCIAL AFFAIRS

European Social Fund

26. On 26 September 1962 the Commission adopted four decisions concerning the granting of aid from the European Social Fund totalling about Bfrs. 175 million to Italy, the Netherlands and the Federal Republic of Germany.

This aid is in respect of retraining schemes carried out in 1958/1959, for which the Member States concerned has applied for refunds under Regulation No. 9.

The breakdown by country is as follows :

- a) About Bfrs. 100 million to the Federal Republic of Germany, 98 million for expenditure defrayed by the public corporation, B.A.V.A.V., and 2 million for expenditure by some "Länder" departments;
- b) About Bfrs. 840 000 to Italy for expenditure defrayed by the public corporation, IRI;
- c) About Bfrs. 74 million to the Netherlands for expenditure defrayed by the Government.

Between now and the end of the current year, the Commission will probably be called on to adopt decisions on other applications for refunds — also in respect of schemes carried out during 1958/59 — on which the working party of the Fund's Committee recently gave an opinion.

27. The Commission has adopted and submitted to the Council a proposed Council Regulation amending Council Regulation No. 9 (the European Social Fund), which was published in the official gazette of the European Communities, No. 56, 31 August 1960. The Commission's proposal embodies the amendments on which the Committee of the European Social Fund has given a favourable opinion. These amendments would notably facilitate the procedure for obtaining aid from the Fund, and also allow some of the conditions for its intervention to be relaxed.

⁽¹⁾ See Bulletin 5-60, Chap. III, The Council.

Social Security

Administrative Committee for the social security of migrant workers

28. This Committee held its thirty-sixth session in Brussels on 27 and 28 September 1962.

The main item examined was the position of certain categories of workers not resident in the country in which they are insured for social security purposes. The Committee noted that the provisions of Regulations No. 3 and 4 (social security of migrant workers) did not properly cater for this particular problem, and would have to be amended in order to allow such workers to qualify for full benefit.

The Administrative Committee also considered the problem of drafting social security legislation applicable to travelling salesmen operating in more than one Community country.

Both problems will be given further consideration at the next meeting.

Free movement of workers

29. In accordance with its terms of reference under Council Regulation No. 15 (initial measures for establishing freedom of movement for workers), the European Co-ordination Office has analysed, as it does each quarter, the reports submitted to it by the Member States' responsible departments, on clearing and placing activities at Community levels, and it has drafted the combined report as required under Article 24 of Regulation No. 15.

This review shows that under the distinctly favourable effects of economic expansion, the rate of employment has continued high. The main feature of the manpower situation in the Community is the growing scarcity of skilled and specialized labour particularly in the areas and trades where increased movements of workers have failed to remedy the shortage. The dwindling of manpower reserves in certain Member States and the fact that suitable workers to fill the vacancies cannot be found in countries with surpluses prove that the point is near at hand beyond which a hard core of unemployment might resist all further erosion failing the implementation of vocational training programmes properly adapted to requirements. Indeed, in some countries manpower shortages have already helped to slow down economic expansion.

30. Meetings devoted to an examination of the preliminary draft regulation and directive concerning the second stage of the free movement of workers have been held between the Commission's staff and, on the one hand, representatives of both sides of industry, and, on the other, representatives of Member Governments. Further to these consultations, the Commission has adopted and transmitted to the Council a proposed regulation and a directive on the free movement of workers within the Community. The substance of these proposals will be outlined in the next Bulletin.

AGRICULTURE

The implementation of the common agricultural policy

31. The Special Committee for Agriculture met on 12 September. It studied a number of "supplements" to Community regulations already in force, e.g. the introduction of a countervailing duty on imports of fruit and vegetables from countries of the Eastern bloc, levies on cereal mixtures and levies on certain categories of flours, groats and meal from non-member countries. It also considered the Commission's proposals on the gradual establishment of common organizations of the beef, rice and dairy produce markets.

The Council has approved a regulation fixing the amount of the levies on imports from non-member countries of pig carcasses for the period 1 October to 31 December 1962.

It noted the fact that Article 27 of Regulation No. 19 empowers the Management Committee for cereals to examine any points arising in the application of the new regulation, particularly in connection with the difficulties encountered in trade among the Six.

It also noted a statement from M. Mansholt, a Vice-President of the EEC Commission, on the possible reduction of c.i.f. and free-to-frontier prices (Articles 3 and 10 of Regulation No. 19).

32. In accordance with Council Regulations Nos. 20, 21 and 22, the levies on imports from non-member countries of swine, eggs and poultry, and the sluice-gate prices for these products, had only been fixed for an initial period ending 30 September 1962. It was therefore necessary to adapt these levies or sluice-gate prices in the light of feed-grain prices on the world market and in the Member States. To this end, the Commission has adopted and submitted to the Council a proposed regulation fixing the levies on imports of swine from non-member countries (published as No. 124 in the official gazette of the European Communities, No. 87, 28 September 1962), and approved three other regulations published as Nos. 125, 126 and 127 in the official gazette of the European Communities No. 87, 28 September 1962.

Working of the common organizations of the markets

33. The Management Committee met on 6 and 17 and 18 September. The main points on the agenda were :

- a) Information from the Member States on the execution of Council Regulation No. 19;
- b) An examination of threshold prices;
- c) The special protocol for the Grand Duchy of Luxembourg concerning the fixing of free-to-frontier prices;

d) France's request, in connection with the application of Article 19 (2 b) of Regulation No. 19, for a definition of the notion of "traditional trade". This will be discussed again in October;

e) The problem of flours and starches of manioc and of other roots and tubers originating in the Associated African States and Madagascar. (There had been a formal consultation on the last item.)

34. The eggs and poultry Management Committee met on 3, 11 and 25 September. The main problems discussed were :

a) The application by Germany for lowering the levy on poultry imported from non-member countries, approved by the Commission on 4 September 1962; in application for lowering the levy on egg products imported from third countries and Member States, which is still pending; and in application for lowering the levies on slaughtered geese, which, by virtue of the Council's May decision requesting the Commission to accept it, has been in effect, if not formally, granted.

After these informatory discussions in the Management Committees, the Commission adopted the decisions on eggs and geese.

The eggs and poultry Management Committee issued the opinion requested of it on a proposal by the Commission for establishing a special conversion rate for the levy on poultry backs and necks (amendment to Regulation No. 77, Article 2) ⁽¹⁾.

Lastly the Management Committee studied some difficulties arising from the execution of Regulation Nos. 21 and 22, concerning in particular the seasonal gradation of component "b" of the levies on eggs and the problem of refunds on imports into France; poultry levies and refunds in France, and problems relating to refunds in general.

35. The fruit and vegetables Management Committee met on 21 September.

The main points discussed were one or two problems concerning the quality control of products entering into intra-Community trade, the authorization requested by France to limit the number of frontier crossing points for fruit and vegetables (a point on which the Management Committee was asked to give an opinion), and the interpretation to be given to certain provisions regarding quality standards.

A favourable opinion was issued on the Commission's draft decision authorizing the French Republic to fix the frontier crossing points or customs points open to fruit and vegetable imports.

36. The Commission has authorized the Federal Republic of Germany to reduce the amount of the levy on imports from non-member countries of slaughtered poultry, provided the wholesale price reaches 0.9258 units of account per kilogramme and the Federal Republic at the same time reduces its levy on imports from Member States by an equivalent amount. The decision is valid until 31 December 1962.

(1) See official gazette of the European Communities No. 66, 28 July 1962.

TRANSPORT

The common transport policy

Action Programme

37. At its session of 27 September 1962 on transport, the Council continued its discussion of common transport policy problems, on the basis of the action programme presented by the Commission ⁽¹⁾ and of the work in this field by the Committee of Permanent Representatives.

The Council agreed to go into these matters again on 29 and 30 October.

Application to transport of rules governing competition

38. At its session of 27 September, the Council also examined the application to transport of the rules governing competition.

At this same session the Commission had tabled a proposed regulation for suspending until 1 January 1965 the application of Article 85 of the Treaty with respect to road, rail and inland waterway transport, together with any implementing measures taken, or to be taken, for its application. So as to enable the Council to adopt separate provisions for the application of the competition rules to road, rail and inland waterway transport undertakings under the common transport policy, the proposed regulation provides that the Commission shall submit proposals to the Council before 1 January 1964. The Council decided to consult the European Parliament and the Economic and Social Committee on the proposed regulation.

With regard to sea and air transport, the Council also decided to consult the Parliament and the Economic and Social Committee on the draft regulation, suspending the application of Articles 85 to 94 in these sectors of the Treaty, which the Commission had transmitted to the Council in the form of an opinion within the meaning of Article 155 of the Treaty ⁽²⁾.

Weights and dimensions of commercial vehicles

39. As part of the measures to be taken for the establishment of a common transport policy, the Commission submitted to the Council a proposed Council directive on weights and dimensions of commercial road vehicles licensed to ply between the Member States ⁽³⁾.

In the explanatory memorandum to the draft directive, the Commission recalls that its memorandum on the general lines of a common transport policy pointed out the need to resolve, in accordance with Article 75 of the Treaty, the problem arising from differences between existing statutory requirements in the Member States, and that the " Programme introducing a common transport policy " gives

⁽¹⁾ See Bulletin 8-62, Chap. III, sec. 46.

⁽²⁾ See Bulletin 9-10, Chap. V, sec. 58bis.

⁽³⁾ See Supplement to the Bulletin.

a high priority to the question of the weights and dimensions of commercial vehicles licensed to ply between the Member States.

The proposed directive provides that as from 1 January 1965 the Member States will only license to ply between their territories commercial road vehicles conforming to the following specifications of weight and dimensions :

a) *Maximum length :*

Single vehicle : 12 metres;
Articulated vehicle : 15 metres;
Vehicle train : 17.20 metres.

b) *Maximum width :*

2.50 metres.

c) *Maximum height :*

4 metres.

d) *Maximum weight :*

1) *Per axle :*

a) single : 10 metric tons;
b) twin : 16 metric tons, provided that the pressure exerted by the wheels of either axle of the combination does not exceed 10 metric tons;

2) *Gross weight :*

a) *Single vehicle :*

i) with two axles : 16 metric tons;
ii) with more than two axles : 22 metric tons;

b) articulated vehicle : 36 metric tons;

c) vehicle train : 38 metric tons.

The proposed directive allows the Member States until 31 December 1963 to make arrangements for executing the directive. The year of grace allowed before the entry into force of the directive (on 1 January 1965) will enable the industry to adapt itself to conform with the new system. During this period, the vehicles built to present standards may continue to be registered in Member States.

The directive further provides that Member States may allow commercial road vehicles registered before 1 January 1965 to ply between the six countries until 31 December 1974, even if the vehicles do not conform to the specifications laid down in the directive. This period was fixed on the assumption of ten years as a reasonable average working life for the vehicles.

40. The Commission also submitted to the Council a draft resolution on additional technical requirements in respect of safety and reliability laid down for commercial road vehicles in the regulations of some Member States and liable to influence the choice of certain maximum limits of weights and dimensions. In any event, even if differences in such technical requirements were to be maintained, they should not constitute an obstacle to the free movement of vehicles between Member States.

The proposed resolution would commit the Council to adopt the appropriate legal instruments by not later than 30 June 1963, so that the Member States may be able to make the requisite statutory changes by 31 December 1963.

41. The proposed directive and resolution concern road vehicle traffic between the Member States. Within the framework of the developing common transport policy, the Commission will consider at what point these enactments shall apply to commercial road vehicles in the domestic traffic of Member States.

Improvement of frontier-crossing conditions — inland shipping

42. In line with its studies of rail and road traffic, the Commission on 11 and 12 September 1962 convened in Brussels the first meeting of experts from the Member Governments to enquire into measures likely to improve frontier-crossing conditions on inland waterways.

The national delegations also included technical experts. A representative from the High Authority of the European Coal and Steel Community and one from the secretariat of the Central Commission for the Navigation of the Rhine attended the meeting as guests. Observers from the International Union for Inland Navigation and the Rhine Consortium were also present.

During the meeting, a questionnaire was drawn up with a view to establishing a list of the formalities, obstacles and constraints encountered at frontier-crossing points on waterways. Governments' replies should enable general solutions to current difficulties to be found.

In addition, three working parties were set up to investigate at local level, as a matter of urgency, the cases of certain frontier points where the need for action is greatest. These working parties will endeavour, with the help of all the government departments and other interests concerned, to find practical solutions for speeding up the turnaround of shipping by cutting down frontier delays, and thus promoting in particular continuous and semi-continuous operations.

Tariff concessions for the transport of cereals in the Federal Republic of Germany

43. On 10 September 1962 a bilateral meeting with German representatives was held to enquire into the concessionary rates allowed by the Government of the Federal Republic of Germany for the transport of cereals subject to published compulsory fixed tariffs, and into the effect of these concessionary rates on the economics of transport.

Changes in the SNCF goods tariff with effect from 1 October 1962

44. In connection with the Council Decision of 21 March 1962 establishing a procedure for prior examination and consultation regarding any laws or regulations contemplated by the Member States in the transport field ⁽¹⁾, the Commission

(1) See Bulletin 1-62, Chap. VIII, sec. 35 and Bulletin 9-10/62, Chap. V, sec. 57.

examined and gave its general approval to the proposed alterations to the SNCF's goods tariff. A detailed examination of the various tariff rates and conditions, particularly the weighing factors used, was held over to a later date.

Infrastructure costs

45. As part of the work of the sub-committee of governmental experts charged with a study of the problems involved in determining and apportioning infrastructure costs in transport, the specialist working parties for each type of transport met in Brussels during September. They continued the study of certain methodological problems connected with the first phase of the work (determining overall infrastructure costs), particularly with regard to the value of plant and equipment and the length of their working life.

Sub-groups of qualified technicians from each type of undertaking were set up in order to prepare joint proposals for overcoming this last problem. These proposals will be examined by the working parties at their forthcoming meetings.

The Council's work programme

46. At its session of 27 September 1962 the Council decided that in order to ensure greater continuity it would henceforward be necessary to hold a meeting on transport every other month.

OVERSEAS DEVELOPMENT

The renewal of the association convention

47. The Trade, Finance, and Institutions sub-committees set up by the EEC for the purpose of the negotiations with the Associated African States and Madagascar have held several meetings in order to finalize at the level of the Six a preliminary draft convention associating the overseas states with the EEC. The intention is to transmit this preliminary draft to the Associated African States and Madagascar for the next stage in discussions.

At a meeting held in Libreville (Gabon) from 10 to 13 September 1962, the heads of State and Government of the African and Malagasy Union (UAM) arrived at a common standpoint for replying to the Community proposals put forward at the third ministerial meeting (1).

The Member States of the African and Malagasy Union proposed in particular that the total amount of the Community's financial aid should be raised from 780 to 810 million units of account (2), that the total should be broken down

(1) See Bulletin 8-62, Chap. III, sec. 54.

(2) 1 unit of account = \$1 US.

according to type of award (grants and loans) and category of aid (diversification and production), and that for some associated States and particular tropical products the present system of guaranteed prices should only be gradually withdrawn from the third year of implementation of the new association convention.

At its session of 24 and 25 September, the Council held an initial exchange of views on the matter. It was agreed that the discussion of the whole set of problems involved in the renewal of the association convention should be continued at its next session, and that October 23 and 24 be suggested to the associated African States and Madagascar as the date for the fourth ministerial meeting. The suggestion was accepted.

The association of Surinam

48. Surinam was associated with the EEC on the basis of Part Four of the Treaty of Rome as from 1 September 1962, since the Netherlands Government has forwarded a supplementary act concerning Surinam to be added to its instrument of ratification of the Treaty of Rome.

It will be recalled that, at the request of the Netherlands Government, the Council unanimously agreed at its session of 25 to 27 September 1961 that Surinam should be assimilated to the overseas States and territories already associated with the Community, and should therefore be given the full benefit of the system of association laid down in Part Four of the Treaty and the implementing convention. On this occasion the Council had specified that trade relations between Surinam and the associated overseas States would be regulated later in agreement with these States. At its session of 23 to 25 October 1961 ⁽¹⁾, the Council had agreed that the Netherlands Government would supplement its instrument of ratification of the Treaty of Rome by lodging an additional act concerning Surinam so that the association of Surinam could come into force. The Netherlands Government's request was based on the declarations of intention, attached to the Treaty of Rome, concerning the possible association with the EEC of Surinam and the Netherlands Antilles.

Scholarships, training periods and symposiums for nationals of associated overseas States

49. In September the Commission organized three short training sessions for nationals of the Associated States :

- 1) From 11 to 14 September, in Brussels, for 100 African teachers;
- 2) On 20 September, in Brussels, for a group of 52 African and European students taking part in the Europe-Africa seminar organized by the College of Europe in Bruges;
- 3) From 24 to 27 September, in Brussels (in collaboration with the Deutsche Afrika-Gesellschaft), for 30 English- or French-speaking students from Africa and Madagascar studying at German universities.

⁽¹⁾ See Bulletin 12-61, Chap. IV, sec. 1.

European Development Fund

ECONOMIC PROJECTS

50. In September 1962 the Council approved a Commission proposal for the financing of the following economic project by the European Development Fund :

In the Malagasy Republic :

Development of an area of 9 500 hectares in the delta of the River Mangoky in south-west Madagascar.

This scheme will produce 4 000 tons of raw cotton and 7 000 tons of rice annually, with a market value of 770 million Frs. CFA (about 3 % of the total value of the country's imports in 1961). It will create 5 000 new jobs to support about 20 000 people.

The works consist of the construction of a headworks comprising a forward feeder canal and a regulator with de-silting plant, the headrace proper leading to the distribution plant, and a main distribution canal.

The total investment will be for 4 290 million Frs. CFA (about 17 382 000 units of account). The EDF's contribution will be about 6 522 000 units of account.

FINANCING AGREEMENTS

51. The following financing agreements were signed during the same period :

- a) Agreement with the Republic of Congo (Brazzaville) for an economic project to cost 280 million Frs. CFA (about 1 134 000 units of account);
- b) Agreement with the Territory of New Caledonia for a social project to cost 115 550 000 Frs. CFA (about 1 287 000 units of account);
- c) Agreement with the Republic of Senegal for three economic projects to cost 1 526 000 Frs. CFA (about 6 182 units of account);
- d) Agreement with the Republic of Chad, for an economic project to cost 750 million Frs. CFA (about 3 038 000 units of account);
- e) Agreement with the Republic of Gabon, for an economic project to cost 82 million Frs. CFA (about 332 000 units of account).

ADMINISTRATIVE AFFAIRS

Budget matters

Preliminary draft budget for the financial year 1963

52. On 20 September 1962 the Council submitted to the Commission, in accordance with Article 203 (2) of the Treaty, the preliminary draft budget for the EEC for 1963, together with its opinion on the estimates for the other Community institutions attached thereto.

OPERATIONS OF THE EUROPEAN DEVELOPMENT FUND

Financing approved at 30 September 1962

(in thousand units of account)

Countries of territories	Number of projects	Total amount
Congo (Leopoldville)	8	5 482
Rwanda-Burundi	15	5 057
Total	23	10 539
Cameroun	21	40 464
Central African Republic	16	10 748
Comores	5	2 069
Congo (Brazzaville)	13	14 637
Ivory Coast	15	25 846
French Somali Coast	2	1 255
Dahomey	12	10 516
Gabon	12	10 253
Upper Volta	9	23 039
Madagascar	33	45 449
Mali (former Sudan)	19	17 036
Mauritania	9	12 336
Niger	4	13 052
New Caledonia	5	1 560
Polynesia	1	2 474
Senegal	19	34 606
Chad	15	23 360
Togo	14	11 702
Réunion	3	1 682
Martinique	2	4 567
Guadeloupe	3	4 211
Algeria	7	17 680
Sahara	2	2 747
Group of States	1	1 972
Total	242	333 271
Somalia	4	4 760
Netherlands New Guinea	8	13 334
Grand total	277	361 904

Appointments and changes in the Commission's staff

53. M. Giuseppe Renzetti, Director General for Transport from the inception of the Commission has resigned and returned to the Italian Ministry of Transport, where he will hold a senior post in the Directorate General of Railways.

On 18 July 1962, the Commission appointed as his successor M. B. Minoletti, Secretary-General of the Genoa Chamber of Commerce and lecturer in transport economics and shipping in the Faculty of Economics and Commerce of the University of Genoa. M. Minoletti is the author of several works on the economics of sea transport.

In 1945 he was Allied Military Government High Commissioner for Merchant Shipping, Northern Italy, and since 1947 he has been a member of the Merchant Navy Board, of which he became the President in 1958. Since 1947 he has also been a permanent officer of the Consultative Co-ordination Committee for the ports of Marseilles, Genoa and Savona. He is in addition one of the two secretaries of the Italo-Swiss Committee for the ports of Genoa and Savona. In January 1959 he was appointed a member of the Italian Delegation to the first Assembly of the United Nations Intergovernmental Maritime Consultative Organization (I.M.C.O.).

M. Heringa, Director for Agricultural Markets in the Directorate General for Agriculture has been promoted to the personal rank of grade A ⁽¹⁾.

M. C. Malavasi, Assistant to the Director General for Economic Affairs has resigned. He left the Commission on 15 September 1962.

M. P. Santarelli, head of Economic Affairs Division in the Restrictive Practices and Monopolies Directorate of the Directorate General for Competition, has resigned. He left the Community's staff on 30 September 1962.

⁽¹⁾ Grade A 1 is generally held only by Directors General and heads of services equivalent in importance to a Directorate General.

V. Institutions and organs

A. THE PARLIAMENT

Ninth joint meeting of the European Parliament and the Consultative Assembly of the Council of Europe

On 17 and 18 September 1962 the European Parliament and the Consultative Assembly of the Council of Europe held their ninth joint meeting in Strasbourg. M. Gaetano Martino, President of the European Parliament, and M. Per Feder-spiel, President of the Consultative Assembly took the chair in turn.

Five main questions were dealt with: the accession of Great Britain to EEC; the accession or association of other European States; the agreements to be worked out with the rest of the free world, particularly the United States of America; relations with the Eastern countries; progress towards political union.

On 17 September reports were presented by M. Edoardo Martino (Italy: Christian Democrat) on the activities of the European Parliament between 1 May 1961 and 1 May 1962 and by M. Georges Margue (Luxembourg: Christian Social Party) on the work of the Consultative Assembly during the same period. The Presidents of the three European Executives, M. Walter Hallstein (EEC), M. Sassen (on behalf of M. Chatenet, President of the Euratom Commission) and M. Malvestiti (ECSC) presented reviews of their work.

Opening the sitting, M. Gaetano Martino said that the ideal which had always inspired the action both of the Consultative Assembly and of the European Parliament would never become a reality unless today's Europe included all the territories of the wider Europe. The system of the Common Market was not an end in itself but a means towards a higher purpose: the political unity of the free peoples of Europe.

He added that ever more pressing calls to speed up and intensify our effort towards unity were coming from the United States of America. Speaking in Philadelphia, President Kennedy had returned to a theme already expressed in his State of the Union Message: the ultimate aim of collaboration between the United States and Europe was association between the peoples of the two continents.

Reporting on the work of the European Parliament, M. Edoardo Martino said that if the process of economic unification was not to be jeopardized it must be followed and supported by unification of policy. There was still no common policy on transport, energy, trade, wages and occupational training. He stressed the policy considerations which dominated the negotiations with Great Britain and would in the last resort affect their outcome. However, like the majority of the Community speakers, he considered that Great Britain's accession should not take place at the price of a watering down of the Treaty or a profound alteration of its spirit and structure.

M. Georges Margue, rapporteur for the Consultative Assembly, noted with satisfaction that, although not yet a deliberative body like the national Parliaments,

the European Parliament had nevertheless been able to extend the scope of its activities beyond the strict letter of the Treaties.

Turning to the problem of the European University, M. Margue said that neither the European Parliament nor the Consultative Assembly was entirely satisfied with what had been achieved and asked whether the time had not come to review the question. He suggested that it be taken up again by the Council of Europe and its Cultural Committee.

In an important speech M. Walter Hallstein, President of the EEC Commission, dealt first with the applications to join the EEC. One essential factor which would determine the outcome of the discussions on these applications was consideration for the needs and political decisions of applicant countries which were themselves solely responsible for these decisions. Since any lasting form of co-operation with a non-member country had to be established by treaty, the approval of the Community was necessary and must be determined by the political decisions of the Community as such. With regard to Great Britain, M. Hallstein pointed out that this country's transition from the Commonwealth preference area to the EEC area would have to be spread over a reasonable period of time.

M. Hallstein then enumerated the points on which agreement had already been reached with Great Britain and those which were still under discussion. After mentioning the negotiations with the associated overseas States, he came to the problem of the partnership offer from the United States. This concept involved co-operation between that country and EEC; the economies of the two parties were competitive and their economic policies had therefore to be co-ordinated.

President Hallstein considered that the Soviet attitude to the Common Market could doubtless be explained by the fact that, unlike intra-Community exchanges, trade between the Soviet Union and the Comecon countries had been stagnating since 1959 and also that the Governments of the Six had declined to conclude bilateral agreements incompatible with their undertakings under the Rome Treaty. "There is nothing more stupid", he added, "than to allege that our venture is directed against the Eastern bloc."

President Hallstein then painted a picture of the internal development of the Community in its various spheres of activity, ending with the question of political union. He stressed the political objectives implicit in the very fact of implementing the Treaty. Integration had to be completed by unifying the other policies (defence, foreign policy in non-economic matters, cultural policy, etc.). The decisive criterion, he concluded, was the advance made by the European cause as a whole, taking into account the need to refrain from dispersing energies or undoing what had been done.

M. Sassen, a member of the Euratom Commission and M. Malvestiti, President of the High Authority of ECSC, speaking for those bodies, outlined the present and future action of the two Communities. M. Malvestiti presented a balance sheet of ECSC's ten years of existence, while M. Sassen spoke of the aim of Euratom's second General Programme: to produce nuclear energy at competitive prices and to assure the Community's energy supplies.

The second day was devoted to discussion of these statements. Some of the remarks on the negotiations for British membership of the Common Market

reflected the tendency to call for adaptations of the common external tariff. Mr. Brown (Labour) considered that the Treaty should be modified where necessary to meet the needs of countries applying for membership: Satisfaction should be given to Commonwealth requirements even at the cost of prolonging the negotiations. Mr. Kirk (Conservative) said that the African States were free to accept or reject association with the Community but would themselves have to take responsibility for everything which flowed from such a decision.

M. Lannung (Denmark : Liberal) wished it to be quite clear that his country's application for membership was made for economic and political reasons; Denmark could not be content with associate status.

Common agricultural policy was then discussed. Sir Anthony Esmonde (Ireland) drew attention to the problems of his country which exported the greater part of its agricultural produce to Great Britain. M. Armengaud (France : Liberal) pleaded for programming so that the tariff discussions with Great Britain could be brought to a close. He looked forward to a planned Europe in which the concept of individual profit would give way before that of collective profit. The alternative was to maintain the concept of capitalist profit-making, but this would be to the detriment not only of Europe but also of the associated countries.

The problem of association with EEC was discussed by several speakers including M. Gustafson (Sweden), M. Czernetz (Austria) and M. Duynstee (Netherlands). The preference of speakers from the neutral countries was for association with a degree of integration almost as great as that afforded by full membership, while those from the Six expressed the wish that the non-member Governments concerned would tell EEC exactly how far they were prepared to go in accepting common rules and Community discipline. Various Members from neutral countries emphasized that neutrality was not to be confused with neutralism and that their countries, which had applied for association, fully shared the feeling of solidarity which was the driving force behind European co-operation.

M. Bournias, followed by M. Kallias (Greece), said that the link between Greece and EEC was more than an association; it was accession on deferred terms; the Athens Agreement of 9 July 1961 provided a system whose purpose was to facilitate full Greek membership in the future. Both speakers added that the numerous applications for membership or association reflected the trend to widen EEC, a trend which would lead irresistibly to closer political and economic co-operation in Europe.

MM. Gülek and Oran (Turkey) mentioned the special position of their country and drew attention to Turkey's special military effort in NATO. They also said that in their view a European union without Great Britain was inconceivable.

Relations with the Eastern countries and the Soviet attitude to the Common Market were discussed. Referring to the attacks on the Community by M. Khrushchev and other Soviet leaders several speakers noted that these same people had recently been obliged to recognize the economic progress achieved under the aegis of the Common Market.

All speakers from Community countries stressed the need to pursue the political unification of Europe and regretted that the Six had not yet been able to reach

an agreement on this point. M. Edoardo Martino said that European unification did not mean the liquidation of the nations but was the only way to save them. Parliamentarians from the non-member countries also touched on this problem. Mr. Kirk (United Kingdom) said that his Government was aware of the need for political union and wished to play its full part therein but found it difficult to understand why some EEC countries wanted to conclude a political treaty before Great Britain had joined the Common Market.

Closing speeches in reply to the debate were made by M. Martino, M. Margue, President Hallstein and President Malvestiti.

B. THE COUNCIL

78th session

The Council held its 78th session on 17 and 18 September under the chairmanship of M. Mariano Rumor, Italian Minister for Agriculture. The session was devoted to agricultural problems.

The Council held an initial discussion on the draft regulations :

- a) on the progressive establishment of a common organization of the rice market;
- b) on the introduction of a levy system and the progressive establishment of a common organization of the markets in milk and dairy products;
- c) on the establishment of a common organization of markets in the beef sector.

The Council instructed the Special Committee for Agriculture to continue the study of these three drafts with the aid of statistical data.

It noted that in pursuance of Article 27 of Regulation No. 19, the Cereals Management Committee may examine any question arising in the implementation of the Regulation, particularly difficulties in trade between the Six.

The Council approved a Regulation fixing the levies on imports of pig carcasses from non-member countries for the period from 1 October to 31 December 1962.

It took note of the statement by M. Mansholt, Vice-President of the EEC Commission, on the possible reduction of c.i.f. and free-to-frontier prices (Articles 3 and 10 of Regulation No. 19).

The Council also noted a statement by M. Mansholt concerning the abolition, as from 31 December 1961, of quantitative restrictions on certain products of the food industry (implementation of the speed-up decision of 12 May 1960).

Other questions considered by the Council included draft regulations providing for a countervailing duty on certain imports of fruit and vegetables from non-member countries and transitional provisions for manioc flour and starch originating in and imported from the associated African States and Madagascar.

79th session

The Council held its 79th session on 24 and 25 September under the chairmanship of M. Emilio Colombo, Italian Minister for Industry and Commerce.

The following matters were discussed :

Association Agreement with Greece : The Council approved and concluded on behalf of the Community the Convention on methods of administrative co-operation for the implementation of Articles 7 and 8 of the Agreement and the use of movement certificates AG 1 and AG 3.

Freedom of establishment and freedom to supply services : The Council referred to the European Parliament and to the Economic and Social Committee four draft directives on callings serving industry and commerce, reinsurance, wholesale trade, payment for services, etc. ⁽¹⁾.

Italian sulphur : The Council decided to set up a liaison and action Committee for the Italian sulphur industry, thus implementing Protocol 3 to the Agreement of 2 March 1960 (duties in the CET for List G products).

GATT : The Council approved the steps taken by the Commission with a view to consultations with the representatives of the United States on the new simplified American customs tariff.

Long-term Arrangement for Cotton Textiles : The Council approved the general acceptance of this Arrangement by the Member States ⁽²⁾.

Administrative Committee of the European Social Fund : The Council renewed the appointment of the members and alternates of the Administrative Committee of the European Social Fund for the period from 27 September 1962 to 26 September 1964.

Turkey : The Council gave the Commission a mandate for the continued negotiations on the Association Agreement.

Associated African States and Madagascar : The Council discussed the Associated States' reply to proposals made by the Community at the third ministerial meeting on 4 and 5 July 1962.

Relations between EEC and Israel : The Council authorized the opening of negotiations with Israel. It assigned certain matters to the Commission and others to the Member States and agreed that the negotiations be conducted by a joint delegation.

Relations between EEC and Iran : The Council authorized the Commission to open exploratory talks with Iran.

80th session

The Council held its 80th session on 27th September, under the chairmanship of M. Bernardo Mattarella, Italian Minister for Transport. The meeting was devoted to transport problems.

⁽¹⁾ See Bulletin 9-10/62, Chap. V, sec. 15-17.

⁽²⁾ See this Bulletin, Chap. IV, sec. 7.

The Council continued its discussion of questions of common transport policy, on the basis of an action programme submitted by the Commission and the work done on this subject by the Committee of Permanent Representatives. The discussion will be resumed on 29 and 30 October of this year.

The Council decided to consult the European Parliament and the Economic and Social Committee on the draft regulation submitted by the Commission concerning the application of the Treaty rules of competition to domestic transport and on the Commission's opinion concerning the application of the rules of competition to sea and air transport.

C. THE MONETARY COMMITTEE

The Monetary Committee held its 43rd session on 5 and 6 September, under the chairmanship of M. E. van Lennep. It issued an opinion on the use of the unit of account under the common agricultural policy. The Council had adopted a provisional regulation, valid until 31 October 1962, which merely determined the initial arrangements.

The Monetary Committee also reviewed the general monetary and financial situation.

PUBLICATIONS OF THE EUROPEAN ECONOMIC COMMUNITY

A. Items concerning the activities of the European Economic Community published in the official gazette of the European Communities between 26 September and 22 October 1962

EUROPEAN PARLIAMENT

Règlement du Parlement européen (Rules of procedure of the European Parliament).

No. 97, p. 2437/62

Written questions and answers

N° 63 de M. Nederhorst à la Commission de la CEE. Objet : Salaires de la main-d'œuvre employée à l'étranger (No. 63 by M. Nederhorst to the EEC Commission. Subject : Wages of workers employed abroad).

No. 86, p. 2305/62

N° 64 de M. Vredeling à la Commission de la CEE. Objet : Problèmes sociaux de l'agriculture (No. 64 by M. Vredeling to the EEC Commission. Subject : Social problems in agriculture).

No. 86, p. 2306/62

N° 65 de M. Vredeling à la Commission de la CEE. Objet : Procédure relative à l'institution des comités de gestion prévus par les règlements sur les produits agricoles (No. 65 by M. Vredeling to the EEC Commission. Subject : Procedure relating to the management committees provided for in the agricultural regulations).

No. 86, p. 2307/62

N° 66 de M. Pedini à la Commission de la CEE. Objet : Attribution d'une aide financière extraordinaire à la République somalienne (No. 66 by M. Pedini to the EEC Commission. Subject : Allocation of extraordinary financial aid to the Somali Republic).

No. 86, p. 2309/62

N° 67 de Mme Strobel et M. Vredeling à la Commission de la CEE. Objet : Création de comités consultatifs pour les produits agricoles et composition de ces comités (No. 67 by Mme Strobel and M. Vredeling to the EEC Commission. Subject : Formation and composition of advisory committees for agricultural products).

No. 86, p. 2309/62

N° 68 de M. Vredeling à la Commission de la CEE. Objet : Libellé des considérants des décisions adoptés par le Conseil (No. 68 by M. Vredeling to the EEC Commission. Subject : Wording of preamble to decisions of the Council).

No. 92, p. 2369/62

N° 69 de M. Margulies à la Commission de la CEE. Objet : Aide financière à la Côte française des Somalis (No. 69 by M. Margulies to the EEC Commission. Subject : Financial aid to French Somaliland).

No. 92, p. 2370/62

N° 72 de M. Vredeling à la Commission de la CEE. Objet : Réduction des tarifs pour le transport de céréales en République fédérale d'Allemagne (No. 72 by M. Vredeling to the EEC Commission. Subject : Reduction of freight rates for cereals in the Federal Republic of Germany).

No. 92, p. 2371/62

- N° 71 de M. Armengaud à la Commission de la CEE. Objet : Interprétation des articles du Traité de Rome en matière de concurrence (No. 71 by M. Armengaud to the EEC Commission. Subject : Interpretation of the Articles of the Treaty of Rome concerning competition). No. 96, p. 2417/62
- N° 73 de M. Van der Goes van Naters au Conseil de la CEE. Objet : Négociations avec l'Etat d'Israël (No. 73 by M. Van der Goes van Naters to the EEC Council. Subject : Negotiations with Israel). No. 96, p. 2419/62
- N° 74 de M. van Hulst à la Commission de la CEE. Objet : Application du règlement n° 17 aux entreprises de transport (No. 74 by M. van Hulst to the EEC Commission. Subject : Application of Regulation No. 17 to transport firms). No. 96, p. 2420/62
- N° 76 de M. Nederhorst à la Commission de la CEE. Objet : Egalité des rémunérations entre les travailleurs masculins et les travailleurs féminins dans la République fédérale d'Allemagne (No. 76 by M. Nederhorst to the EEC Commission. Subject : Equal pay for men and women workers in the Federal Republic of Germany). No. 96, p. 2421/62
- N° 77 de M. Müller-Hermann à la Commission de la CEE. Objet : Contrôle des personnes et contrôles douaniers aux frontières des Etats membres (No. 77 by M. Müller-Hermann to the EEC Commission. Subject : Passport and customs formalities at the frontiers of the Member States). No. 96, p. 2422/62
- N° 78 de M. Troclet à la Commission de la CEE. Objet : Libre circulation des travailleurs (Luxembourg) [No. 78 by M. Troclet to the EEC Commission. Subject : Free movement of workers (Luxembourg)]. No. 96, p. 2423/62
- N° 79 de M. Troclet à la Commission de la CEE. Objet : Recommandation relative aux services sociaux pour les travailleurs migrants (No. 79 by M. Troclet to the EEC Commission. Subject : Recommendation concerning social services for migrant workers). No. 96, p. 2424/62
- N° 84 de M. Müller-Hermann à la Commission de la CEE. Objet : Liaisons routières entre l'Italie, la France et l'Allemagne (No. 84 by M. Müller-Hermann to the EEC Commission. Subject : Road communications between Italy, France and Germany). No. 96, p. 2426/62

THE COUNCIL

Regulations

- Règlement n° 124 du Conseil portant fixation du montant des prélèvements envers les pays tiers pour le porc abattu et pour le porc vivant (Council Regulation No. 124 concerning the fixing of the amount of levies vis-à-vis third countries on pig carcasses and live pigs). No. 87, p. 2325/62

Information

Budget supplémentaire de la Communauté Economique Européenne pour l'exercice 1962 (Supplementary budget of the European Economic Community for the financial year 1962).

No. 85, p. 2225/62

Décision du Conseil relative à un programme d'action en matière de politique commerciale commune (Council decision on an action programme to implement a common commercial policy).

No. 90, p. 2353/62

Décision des représentants des gouvernements des Etats membres réunis au sein du Conseil instituant un Comité de liaison et d'action pour l'industrie du soufre en Italie (Decision of the representatives of the Governments of the Member States, meeting in the Council, setting up a liaison and action committee for the Italian sulphur industry).

No. 93, p. 2384/62

Remplacement d'un membre du Comité économique et social (Appointment of a successor to a member of the Economic and Social Committee).

No. 96, p. 2427/62

Composition du Comité du Fonds social européen (Composition of the Committee of the European Social Fund).

No. 101, p. 2519/62

THE COMMISSION

Regulations

Règlement n° 125 de la Commission portant fixation du montant des prélèvements envers les pays tiers pour les œufs en coquille de volaille de basse-cour, les volailles abattues et les volailles vivantes d'un poids n'excédant pas 185 grammes (Commission Regulation No. 125 fixing the levies on imports from third countries of farmyard poultry eggs in shell, slaughtered farmyard poultry and live chicks not exceeding 185 grammes in weight).

No. 87, p. 2327/62

Règlement n° 126 de la Commission portant adaptation et fixation du prix d'écuse pour les œufs de volaille de basse-cour, les volailles de basse-cour abattues et les volailles vivantes d'un poids supérieur à 185 grammes (Commission Regulation No. 126 concerning the fixing and adjustment of the sluice-gate price for farmyard poultry eggs in shell, slaughtered farmyard poultry and live chicks not exceeding 185 grammes in weight).

No. 87, p. 2329/62

Règlement n° 127 de la Commission portant adaptation et fixation des prix d'écuse applicables aux porcs vivants et abattus pendant la période du 1^{er} octobre au 31 décembre 1962 (Commission Regulation No. 127 concerning the amendment and fixing of the sluice-gate prices applicable to live pigs and pig carcasses during the period from 1 October to 31 December 1962).

No. 87, p. 2333/62

Règlement n° 128 de la Commission prévoyant des dispositions transitoires pour la farine et la fécule de manioc et d'autres racines et tubercules originaires des Etats africains et malgache associés (Commission Regulation No. 128 laying down transitional provisions for flour and starch of manioc and other roots and tubers originating in the Associated African States and Madagascar).

No. 88, p. 2341/62

Rectificatifs aux règlements n° 75, 76, 79, 84 et 85 de la Commission (Corrigenda to Commission Regulations Nos. 75, 76, 79, 84 and 85).

No. 86, p. 2323/62

Information

La situation économique de la Communauté (The economic situation in the Community).

No. 94, p. 2393/62

Directives and Decisions

Décision de la Commission autorisant la République française à différer le rapprochement de certains droits prévus dans son tarif douanier vers ceux du tarif douanier commun (Decision of the Commission authorizing the French Republic to postpone the approximation to the common customs tariff of certain duties in its customs tariff).

No. 86, p. 2313/62

Décision de la Commission autorisant la République italienne à différer le rapprochement de certains droits de son tarif douanier vers ceux du tarif douanier commun (Decision of the Commission authorizing the Italian Republic to postpone the approximation to the common customs tariff of certain duties in its customs tariff).

No. 86, p. 2314/62

Décision de la Commission portant octroi d'un contingent tarifaire à la République fédérale d'Allemagne pour les bananes fraîches (Decision of the Commission granting a tariff quota to the Federal Republic of Germany for fresh bananas).

No. 86, p. 2316/62

Décision de la Commission relative à la prorogation des mesures de sauvegarde accordées à la République italienne, le 27 juillet 1961, pour le plomb brut, pour le zinc brut, et le 28 février 1962 pour les déchets et débris de plomb et pour les déchets et débris de zinc (Decision of the Commission concerning the extension of the safeguard measures granted to the Republic of Italy on 27 July 1961 for unwrought lead and zinc and on 28 February 1962 for lead and zinc waste and scrap).

No. 91, p. 2363/62

Décision de la Commission relative à la prorogation des mesures de sauvegarde accordées le 27 juillet 1961 à la République italienne pour le soufre, pour le sulfure de carbone et pour le sulfure de sodium (Decision of the Commission concerning the extension of the safeguard measures granted to the Republic of Italy on 27 July 1961 for sulphur, carbon bisulphide and sodium sulphide).

No. 91, p. 2364/62

Décision de la Commission relative à la prorogation des mesures de sauvegarde accordées le 28 février 1962 à la République italienne pour le sulfure de carbone (Decision of the Commission concerning the extension of the safeguard measures granted to the Republic of Italy on 28 February 1962 for carbon bisulphide).

No. 91, p. 2366/62

Décision de la Commission relative à la prorogation de la mesure de sauvegarde accordées le 27 juillet 1961 à la République italienne pour l'iode (Decision of the Commission concerning the extension of the safeguard measure granted to the Republic of Italy on 27 July 1961 for iodine).

No. 91, p. 2366/62

Décision de la Commission relative au recours de la République fédérale d'Allemagne à l'article 115, alinéa 1, du Traité, pour exclure du traitement communautaire les carpes originaires de la Yougoslavie et mises en libre pratique dans les autres Etats membres (Decision of the Commission concerning the invoking by the Federal Republic of Germany of Article 115, paragraph 1, of the Treaty to exclude from Community treatment carps originating in Yugoslavia and admitted to free circulation in the other Member States).

No. 93, p. 2386/62

Décision de la Commission portant octroi d'un contingent tarifaire pour certaines espèces de graines de betteraves à sucre à la République italienne (Decision of the Commission granting a tariff quota to the Republic of Italy for certain species of sugar-beet seed).

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Recours introduit le 4/10/62 par M. Maurice Alvis contre la Communauté Economique Européenne (affaire 32/62) [Suit by M. Maurice Alvis against the European Economic Community for wrongful dismissal, filed on 4 October 1962 (case 32/62)].

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Recours de l'entreprise Alfons Lütticke GmbH contre la Commission de la CEE, introduit le 9/10/62 (affaire 33/62) [Appeal by Alfons Lütticke GmbH against decisions of the EEC Commission, filed on 9 October 1962 (case 33/62)].

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B. List of issues of the Agricultural Supplement to the official gazette containing the tables appended to the Commission's decisions fixing the cif prices, the premiums added to levies, the cif prices for forward purchases and the free-to-frontier prices for cereals

Supplément n° 8 du 3 octobre 1962 (Supplement No. 8 of 3 October 1962).

Supplément n° 9 du 10 octobre 1962 (Supplement No. 9 of 10 October 1962).

Supplément n° 10 du 17 octobre 1962 (Supplement No. 10 of 17 October 1962).

Supplément n° 11 du 24 octobre 1962 (Supplement No. 11 of 24 October 1962).

C. Recent publications of the European Economic Community

Occasional publications

- 8053 CEE - CECA. Tableaux comparatifs des régimes de sécurité sociale applicable dans les Etats membres des Communautés européennes (au 30 juin 1962) 1 - Régime général [EEC - ECSC. Comparative tables of social security systems in the Member States of the European Communities (on 30 June 1962) 1. General system]. 1962, 66 pp. (French, German, Italian and Dutch). Price : Bfrs. 60.
- 8051 Les instruments de la politique monétaire dans les pays de la Communauté économique européenne (The instruments of monetary policy in the countries of the European Economic Community). 1962, 279 pp. (French, German, Italian, Dutch; English in preparation). Price : £1.9.0, \$4, Bfrs. 200.
- 8046* Régime juridique des transports ferroviaires, routiers et fluviaux dans les Etats membres de la Communauté économique européenne. Situation au 1^{er} juillet 1962. Edition à feuilles mobiles (Legal system governing transport by road, rail and inland waterway in the Member States of the European Economic Community. Situation on 1 July 1962. Loose-leaf publication). (French, German; Italian and Dutch in preparation.) Price : £1.5.9., \$3.70, Bfrs. 180.
- 8049 Rapport général des sous-groupes A, B et C créés pour examiner différentes possibilités en vue d'une harmonisation des taxes sur le chiffre d'affaires (General Report of Study Groups A, B and C on the harmonization of turnover taxes). January 1962, 170 pp. (French, German, Italian and Dutch). Price : 8s. 6d., \$1.20, Bfrs. 60.
- 8006* Répertoire des organisations agricoles non gouvernementales groupées dans le cadre de la Communauté économique européenne (List of non-agricultural organizations associated at Community level). First revision (1962). Loose-leaf publication in the four languages of the Community. Price of list with revision : Bfrs. 150.
- 8062 Guide pratique concernant les articles 85 et 86 du Traité instituant la CEE et leurs règlements d'application (édité par le Service de Presse et d'Information des Communautés européennes) [Articles 85 and 86 of the EEC Treaty and the relevant regulations : a manual for firms (published by the Joint Information Service). 1962, 26 + 12 pp. (French, German, Italian and Dutch). Price : 5s. 9d., \$0.80, Bfrs. 40.
- 8047 N° 2/1962. Etudes - Série Politique sociale. La réglementation des congés payés dans les six pays de la Communauté (No. 2/1962. Monographs - Social policy series. Legislation on holidays with pay in the six Community countries. 1962, 121 pp. (French, German, Italian and Dutch). Price : Bfrs. 100.

- 8058* N° 3/1962. Etude sur la physionomie actuelle de la sécurité sociale dans les pays de la CEE (No. 3/1962. Monograph on the current situation in social security in the EEC countries.
1962, 155 pp. (French, German, Italian and Dutch). Price : 13s., \$1.80, Bfrs. 90.
- 8065 Comité de coordination en matière de propriété industrielle institué par les Etats membres et la Commission de la Communauté économique européenne : « Avant-projet de convention relatif à un droit européen des brevets élaboré par le groupe de travail 'brevets'. » (Co-ordinating Committee on Industrial Property Rights set up by the Member States and the Commission of the European Economic Community : Preliminary draft convention on a European system of patent law drawn up by the Working Party on patents).
1962, 216 pp. (German/French). Price : 13s., \$1.40, Bfrs. 90.

Periodical publications

- 4002 Graphiques et notes rapides sur la conjoncture dans la Communauté. Mensuel N° 9/1962 (Graphs and Notes on the Economic Situation in the Community. Monthly, No. 9/1962).
Three bilingual editions : English/French; French/Italian; German/Dutch. Price per issue : 3s. 6d., \$0.50, Bfrs. 25. Annual subscription : £1.16.0, \$5, Bfrs. 250.
- 2001 La situation économique de la Communauté. Rapport trimestriel (The Economic Situation in the Community. Quarterly Survey).
September 1962, No. 3, 80 pp. (French, German, Italian, Dutch and English). Price per issue : 15s., \$2, Bfrs. 100. Annual subscription : £2.10.0, \$7, Bfrs. 350.

D. Publications by the joint services of the three Communities

Joint Information Service

Publications by offices in capital cities :

Bonn : Europäische Gemeinschaft (weekly);
The Hague : Europese Gemeenschap, No. 42, October 1962;
Paris : Communauté européenne, No. 10, October 1962;
Rome : Comunità Europea, No. 8/9, August/September 1962;
London : European Community, No. 8, October 1962;
Washington : European Community, No. 56, September 1962.

Statistical Office of the European Communities

Bulletin général de statistiques - n° 10/1962 (General Statistics - No. 10/1962).

Commerce extérieur : Statistique mensuelle - n° 10/1962 (Foreign Trade : Monthly statistics - No. 10/1962).

Commerce extérieur : Tableaux analytiques - Importations : janvier-décembre 1961 (Foreign Trade : Analytical tables - Imports : January-December 1961).

Statistiques industrielles - n° 4/1962 (Industrial Statistics - No. 4/1962).